

the protectionist move conflicted with a congressional decision mandating that some of the land be used for logging.

EPA Can't Second-Guess Texas Ozone Plan, 5th Circ. Told

The U.S. Environmental Protection Agency wrongly rejected Texas' plans to address cross-state emissions in meeting 2008 national ozone standards and trampled over the Lone Star State's authority under the Clean Air Act in imposing a federal substitute, Texas officials told the Fifth Circuit on Friday.

EU Nearing Decision On Extending China Solar Panel Duties

The European Commission is close to drawing its final conclusion regarding extended duties on Chinese solar panels, a commission representative told Law360 on Tuesday.

Enviros Say USFS Ignored Logging Project's Owl Impacts

Environmentalists have asked a California federal judge to stop a U.S. Forest Service-approved logging operation they say harms critical California spotted owl habitat in the state's Tahoe National Forest.

EPA Urges 4th Circ. To Undo Coal Jobs Analysis Order

The U.S. Environmental Protection Agency on Tuesday asked the Fourth Circuit to overturn a federal judge's decision that compels the agency to evaluate the consequences of its air pollution regulations on jobs, arguing there was no Clean Air Act violation that warranted such a remedy.

HEALTH & LIFE SCIENCES

Texas Justices Let Challenge Of Chiropractic Rules Proceed

A Texas appellate court on Friday gave the Texas Association of Acupuncture and Oriental Medicine another shot at challenging the validity

National Security Agency
Nuclear Regulatory Commission
Office of the Comptroller of the Currency
Securities and Exchange Commission
Texas Health and Human Services Commission
Texas Legislature
U.S. Air Force
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of Transportation
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. Forest Service
U.S. General Services Administration
U.S. Senate
U.S. Supreme Court

of two provisions in the Texas Board of Chiropractic Examiners administrative rules that it believes are invalid because they allow chiropractors to practice acupuncture.

HealthCare.gov Deletions 'Trumpcare By Sabotage,' Dems Say

Leading Democrats from the U.S. Senate committees on Health, Education, Labor and Pensions and Finance on Friday demanded answers from the U.S. Department of Health and Human Services' newly confirmed secretary about why a breakdown of the Affordable Care Act's benefits was removed from HealthCare.gov.

MEDIA & ENTERTAINMENT

Philly Controller Escapes 'Slush Fund' Slander Suit

A Pennsylvania state court judge on Tuesday threw out a lawsuit accusing Philadelphia's city controller of defaming a former city official with remarks about a so-called slush fund in which money primarily from the Philadelphia Marathon was used to pay for pet projects of former Mayor Michael Nutter.

INSURANCE

Ill. Gay Conversion Therapy Ban Exempts Pastors, Judge Says

A coalition of Illinois pastors is claiming victory in its suit over a state law banning conversion therapy for gay youth, saying even though a federal judge tossed the suit on Wednesday, the ruling more or less amounts to what they'd sought in the first place: an order declaring pastors exempt from the law.

EMPLOYMENT

August NLRB Order Restored Discipline Analysis, GC Says

The National Labor Relations Board general counsel's office has penned an advice memo

clarifying the precedent set by an August board decision, saying that businesses must bargain with unions over certain types of serious discipline between the time a bargaining unit is certified and a bargaining agreement is signed.

Iowa Union Sues To Block Collective Bargaining Law

A union representing public sector employees in Iowa filed suit Monday challenging the state's sweeping new law curtailing collective bargaining rights for most public workers, calling it a "draconian" measure that would make it harder for state workers to receive or maintain union representation.

PRIVACY & CONSUMER PROTECTION

EU Regulators Lay Out Plan For Tackling Privacy Shield Rows

Europe's data protection regulators on Monday rolled out a plan for addressing consumer complaints that arise under the new Privacy Shield pact that allows multinationals to transfer data between the EU and U.S., saying at least three authorities would be charged with weighing in on disputes within 60 days.

Mortgage Servicer Rips Efforts To Intervene In CFPB Review

A mortgage servicer that convinced a D.C. Circuit panel that the Consumer Financial Protection Bureau's structure is unconstitutional asked the full court on Friday to reject a bid by advocacy groups, state attorneys general and members of Congress to let them fight the suit if President Donald Trump's Justice Department stops defending against it.

Trump Taps Lt. Gen. McMaster As National Security Adviser

President Donald Trump announced Monday that he has selected Army Lt. Gen. H.R. McMaster as national security adviser, a post that was left empty after Michael Flynn resigned

amid fallout from his dealings with Russian officials.

GOVERNMENT CONTRACTS

Air Force Leaders Urge Congress To Pass Spending Bill

The U.S. Air Force's top civilian and military leaders urged Congress on Monday to pass a defense appropriations bill before the end of fiscal year 2017, saying the use of another continuing resolution through to the end of the year would significantly hurt operational readiness and limit needed improvements.

Texas Barred From Cutting Planned Parenthood Funding

A federal judge on Tuesday barred the state of Texas from pulling Medicaid funds from Planned Parenthood-affiliated clinics, saying the secretly recorded videos the Lone Star State held up as evidence that the clinics were profiting from selling aborted fetal tissue did not actually support the state's claims.

GSA Watchdog Criticizes Tech Unit's IT Security Compliance

A U.S. General Services Administration watchdog on Tuesday criticized the GSA's "startup" unit aimed at improving federal technology, 18F, saying it routinely ignored GSA security requirements for both the procurement and operation of information technology systems.

TAX

CEOs Mobilize To Back Border Adjustment Tax

Chief executives from 16 companies wrote congressional leaders Tuesday in praise of a GOP proposal to dramatically change the U.S. corporate tax code, urging the lawmakers to act boldly in rewriting it.

IMMIGRATION

Senator Questions Border Electronics Searches

A U.S. senator on Monday questioned the government's authority to collect information from people detained at U.S. borders in response to media reports that U.S. Customs and Border Protection officers may be asking for cell phone passcodes and social media handles.

Calif. Judge Lets Halt On Travel Ban For Visa Holders Lapse

A California federal judge on Tuesday declined to extend a temporary restraining order blocking parts of President Donald Trump's immigration ban, saying the TRO's goals had been met and new relief sought by Yemeni immigrants in an amended suit would allow those without visas to "cut in line."

Miami-Dade Nixes Protections For Undocumented Immigrants

The Miami-Dade Commission on Friday voted to uphold an order by the county's mayor eliminating protections from U.S. Customs and Immigration Enforcement detainer requests for undocumented immigrants, despite hundreds of people showing up to express their concern and disapproval.

NATIVE AMERICAN

Ex-Tribal Employees' Gender Bias Claims Tossed

A Wisconsin federal judge on Tuesday tossed suits alleging gender bias and retaliation from two former employees of the Lac du Flambeau Band of Lake Superior Chippewa Indians, ruling that they failed to state a claim and the tribe had sovereign immunity against the suits.

TELECOMMUNICATIONS

FCC Was Right To Drop Set-Top Box Plan, Legislator Says

Rep. Yvette D. Clarke, D-N.Y., has praised a move by the new Federal Communications Commission head to pull back on an Obama-era plan to open up competition in the set-top box market.

AT&T Urges FCC To Nix 'Cadillac' Broadband Expansion Goals

The Federal Communications Commission should seek to fund broadband expansion in as many geographic areas as possible rather than prioritizing high speeds, AT&T said Tuesday, or else consumers in harder-to-reach areas will get left behind.

Group Blasts Industry Move Against FCC Transparency Rules

Broadband providers are inappropriately seeking to evade stepped-up transparency rules under an exemption meant for small providers, an open internet advocacy organization warned the Federal Communications Commission in a filing made public Friday, saying that their request for broad relief for all providers would effectively kill the rules.

EXPERT ANALYSIS

2-For-1 Executive Order Leaves OMB To Work Out Details

While President Donald Trump's recent executive order reducing regulations may seem appealing in its simplicity, the White House has provided agencies with little guidance on its implementation, instructing them to call the Office of Management and Budget with questions. Yet the OMB's ability to provide answers will be impaired by a lack of clear legal standards, say Laurence Platt and Joy Tsai of Mayer Brown LLP.

A Look At DOJ's New Guidance On Compliance Programs

New guidance from the U.S. Department of Justice's Fraud Section puts chief compliance

officers on notice about how the adequacy of their companies' compliance programs is evaluated by prosecutors, say attorneys with Morgan Lewis & Bockius LLP.

How The GDPR Will Impact Life Sciences And Health Care

The European Union's General Data Protection Regulation will considerably increase the sanctions and penalties that can be imposed on organizations that breach its requirements. The implications for organizations operating in the life sciences and health care sectors are likely to be particularly far-reaching, say attorneys with Ropes & Gray LLP.

Legal Pot Industry Bugged By Lack Of Pesticide Guidance

Marijuana cultivation suffers from the same pest and disease pressure as any large commercial greenhouse operation. However, the circumstance unique to this setting is that any use of a pesticide in the cultivation of marijuana is a violation of federal law, says Telisport Putsavage of Putsavage PLLC.

The Quadrennial Energy Review And Grid Security

The most recent installment of the U.S. Department of Energy's Quadrennial Energy Review includes a number of recommendations for physical and cybersecurity protection of the nation's power infrastructure. Although the report recommends developing and implementing "necessary" security measures, it provides limited details in some areas, and does not identify revenue sources for some initiatives, say attorneys from Husch Blackwell LLP.

LEGAL INDUSTRY

Norton Rose Fulbright Inks Deal With Chadbourne

Norton Rose Fulbright and New York-based Chadbourne & Parke LLP will merge in the

second quarter of this year, the firms announced Tuesday.

BigLaw Cost Pressures Fueling Middle East Exits

At least eight BigLaw outposts in the Middle East have been shuttered since 2015, a trend experts say is simply one symptom of the global push by law firms to make ends meet as demand falters and the costs of doing business continue to rise.

Sidley-Authored Report On 9/11-Era Torture Defamatory: Suit

A group of psychologists accused a Sidley Austin LLP attorney of crafting a report for the American Psychological Association that unfairly laid the blame on them for interrogation tactics used by the U.S. military after the 9/11 attacks, saying in an Ohio suit that he ignored evidence and bolstered a story by the doctors' critics.

US Law Firm Expansion Follows The Money, Report Says

Law firms tend to enter regions experiencing rapid growth in emerging corporate sectors by attempting to lure away key partners from other firms, while the days of large regional firms catering to businesses in specific geographic areas are gone, a recent paper said.

Munsch Hardt Co-Founder Dies In Australian Plane Crash

Munsch Hardt Kopf & Harr PC on Tuesday confirmed that one of its founding partners, noted bankruptcy and banking attorney Russell Munsch, was among those killed in a fatal plane crash in Melbourne, Australia, on Monday.

JOBS

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From: Ohio Arts Council

Sent: Thursday, February 23, 2017 1:04 PM

To: Rep93

Subject: February 📧 Arts Advocacy, Deadlines, & Webinars

Keep an eye on upcoming grant deadlines, past webinars now available online, and an important message on advocacy.

[View this email in your browser](#)

Share your story with #ArtsOhio



VALUE OF THE ARTS & IMPORTANCE OF ADVOCACY

It's that time of year when we begin to plan for National Arts Advocacy Day on March 20-21 in Washington, DC. It's always important to tell our stories of the economic, educational, and cultural value of the arts, but with a new president and Congress in place, it's especially critical that we communicate the value of federal funding for arts and culture through the National Endowment for the Arts (NEA) – and its direct impact on Ohio's arts and cultural communities.



KEEP READING DONNA'S MESSAGE



OHIO *POETRY OUT LOUD* EXPANDS REGIONALLY

Semifinals are underway in six regions of the state! Meet the *POL* partners near your community and wish the students good luck before the State Finals on March 4.

MEET OUR PARTNERS



MARCH 28 WEBINAR WITH ARTS MIDWEST

Join us to discover funding and learning opportunities with Arts Midwest, including the Arts Midwest Booking and Education Conference and the Arts Midwest Touring Fund.

REGISTER TODAY



WATCH WEBINARS ONLINE | OHIO ARTS COUNCIL YOUTUBE

The OAC YouTube channel is going through an update to be your one-stop-shop for webinar resources. Miss last month's grants webinar? Want to review accessibility tips? We've got you covered. View complete sessions online, on your own time (and don't forget to subscribe!)

SUBSCRIBE NOW



SPOTLIGHT: FEATURED ARTISTS AT THE OHIO GOVERNOR'S RESIDENCE

This season's Spotlight exhibition with Ohio First Lady Karen W. Kasich features artwork that inspires and thrives through the creativity of artists with disabilities. In a collaboration with [VSA Ohio](#), the artwork of 17 artists from seven organizations across the state will be on display at the [Governor's Residence](#) until May 2017. Visit oac.ohio.gov/spotlight to view the complete brochure.

MARCH 1

- [Arts Access](#) | General Operating Support for Small Organizations
- [ArtsNEXT](#) | Funding for Bold, Groundbreaking Projects

APRIL 3

- [ArtSTART](#) | General Project Support for Organizations
- Reminder for Sustainability Grantees: Year 3 Updates Due

CONTACTS: Brianna Dance, Organizational Programs Coordinator, brianna.dance@oac.ohio.gov; and Jim Szekacs, Organizational Programs Coordinator, jim.szekacs@oac.ohio.gov

MARCH 1

- Arts Partnership | Support for Arts Education Projects

CONTACT: Chiquita Mullins Lee, Arts Learning Coordinator, chiquita.mullinslee@oac.ohio.gov

MARCH 15

- Traditional Arts Apprenticeship | Preserving Cultural Heritage through Collaboration
- Heritage Fellowships | Recognizing Ohio Folk and Traditional Artists

CONTACT: Kathy Signorino, Individual Artist Coordinator, kathy.signorino@oac.ohio.gov

Mark Your Calendar

March 4: Ohio Poetry Out Loud State Finals
at the McConnell Arts Center in Worthington

March 20-21: National Arts Advocacy Day in
Washington D.C.

April 5: OAC Spring Board Meeting

April 24: Poetry Out Loud National Finals in
Washington D.C.

May 17: Celebrate Arts Day & Governor's
Awards for the Arts in Ohio in downtown
Columbus

Happening in the OAC Riffe Gallery

Drop-in during lunch for **FREE** workshops
with Melissa Vogely-Woods during
the *Come Along With Me* exhibition. All
levels welcome!

March 8: Poetic text and collage

March 15: Folded book making

March 22: Interactive mail art

March 29: Personal narrative tree project

April 5: Stitched book binding workshop

April 12: Narrative-based collage project

PROFESSIONAL DEVELOPMENT OPPORTUNITY | CAMA Digital Marketing

Bootcamp

Wednesday, March 22, 10 a.m. - 3 p.m. at the Columbus Metropolitan Library (Parsons Branch)

Ceci Dadisman (digital marketer, speaker, nonprofit empowerer) will lead this hands-on, activity-driven session. It will equip you with strategies and methodology on how to best utilize digital marketing and social media for your organization. We'll delve into digital marketing for arts organizations and create a well-rounded and achievable plan for success. You'll learn what platforms have the highest return, how to use them, and how to track the results.

REGISTER ON EVENTBRITE BY MARCH 15 | \$50 Non-CAMA Member Price or \$25 Member Price

Image credits: 1) Ohio POL Partner, Emily Prince, at Stuart's Opera House in Nelsonville; 2) 2015 Arts Midwest Conference in Kansas City, Missouri, photo by Tiffany Rodgers; 3) Carl Loftin, Wimaraner, Acrylic, Summit Developmental Disabilities.



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You are receiving the monthly ArtsOhio newsletter because you signed up on the Ohio Arts Council website, through social media, or in-person at the Ohio Arts Council's Riffe Gallery.

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30 East Broad Street, 33rd Floor
Columbus, OH 43215-3414

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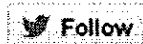
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From: Public Policy Law360
Sent: Friday, February 24, 2017 4:54 AM
To: Rep93
Subject: High Court Confirmation 'Not The Way It Should Be': Ginsburg



Friday, February 24, 2017



TOP NEWS

High Court Confirmation 'Not The Way It Should Be': Ginsburg

The current U.S. Supreme Court confirmation process has grown too partisan, Justice Ruth Bader Ginsburg said Thursday, as the Senate is gearing up for a fight over President Donald Trump's pick for the high court, Tenth Circuit Judge Neil Gorsuch.

BigLaw Partners Uneasy About Trump Judiciary Comments

Members of the legal community including partners at several BigLaw firms on Thursday expressed concern over statements made by President Donald Trump toward federal judges and courts in the aftermath of an order temporarily blocking his immigration ban from seven Muslim-majority countries, saying the remarks could have "grave consequences."

Law Profs Hit Kellyanne Conway With Misconduct Complaint

A group of law professors and ethics experts this week filed a misconduct complaint against President Trump adviser Kellyanne Conway, arguing that a series of false statements she made in TV interviews "brings shame" to the profession.

Analysis

LAW FIRMS

Arnold & Porter Kaye Scholer
Baker Botts
Bancroft PLLC
Berger & Montague
Bradley
Chadbourn & Parke
Cooley
Cozen O'Connor
Crowell & Moring
Davis Wright Tremaine
Edelson PC
Eric M. Bernstein
Finger & Slanina
Ford & Harrison
Greenberg Traurig
Gunster
Gutridge Safier
Harkins Cunningham
Harman Claytor
Holland & Hart
Holland & Knight
Hunton & Williams
Jackson Lewis
Jenner & Block
Johnson & Bell

GOP Faces Pitched Battle As It Looks To Revise ESA

Having seized control of the presidency and both houses of Congress, Republicans are seeking to amend the Endangered Species Act after years of complaints that it stymies development and limits land use. But lawmakers should take note of previous failed attempts to alter the law, as supporters will fiercely fight any changes they see as weakening it, experts say.

Analysis

Trump's Trans Bathroom Access U-Turn May Not Slow EEOC

Although the Trump administration made waves in rescinding an Obama-era directive that transgender public school students be allowed to use the bathroom of their choice, experts say employers shouldn't assume the U.S. Equal Employment Opportunity Commission will take its foot off the enforcement throttle when it comes to transgender rights in the workplace.

Sessions Ditches Obama Policy Curtailing Private Prison Use

Attorney General Jeff Sessions has reversed a U.S. Department of Justice memo from the Obama administration aimed at curtailing use of private prisons by the federal government, according to a memo sent to the federal Bureau of Prisons on Thursday.

Analysis

Tax Reform Possible Despite Border Adjustment Opposition

Despite growing opposition from retailers and within the GOP's own ranks to a tax reform blueprint that would disallow deductions for import costs, experts are hopeful that a compromise going beyond mere tax cuts is possible.

Ginsburg Bemoans Loss Of Core Values At Book Launch

Joseph Greenwald

K&L Gates

Kane Russell

Kessler Topaz

Kutak Rock

Little Mendelson

Lum Drasco

McGuireWoods

Morrison & Foerster

Munger Tolles

Norton Rose Fulbright

Perkins Coie

Schirmer Diaz-Arrastia

Seyfarth Shaw

Shook Hardy

Sidley Austin

Squire Patton Boggs

Sullivan & Worcester

Surovell Isaacs

Williams Montgomery

Winthrop & Weinstine

COMPANIES

AXA SA

American Bar Association

American Civil Liberties Union

American Federation of Labor and Congress of Industrial Organizations

American Federation of State, County and Municipal Employees

Apple Inc.

BTI Consulting Group Inc.

Black Elk Energy LLC

Citizens for Responsibility and Ethics in Washington

Clearing House Payments Co. LLC

Comcast Corporation

America is not going through the best of times, according to Associate Justice Ruth Bader Ginsburg, who said Thursday that the country has started to drift away from some of its core ideals.

Analysis

Fracking Quakes Could Shake Regulatory Ground In Pa.

The first-of-its-kind link that Pennsylvania environmental regulators recently drew between hydraulic fracturing and a string of minor seismic events detected nearly a year ago could be the first step toward increased monitoring requirements and permitting conditions for drillers.

GOP Lawmaker Wants Flynn To Testify Before Senate Panel

Sen. Susan Collins, R-Maine, said Wednesday that former national security adviser Michael Flynn should testify before the Senate Intelligence Committee, which is investigating alleged Russian interference in the U.S. presidential election.

BANKING & SECURITIES

Canadian Securities Watchdog Launches Regulatory Sandbox

Canadian securities regulators on Thursday launched a so-called regulatory sandbox, allowing companies that use innovative technologies and capital-raising techniques to experiment under fewer regulations, spreading an idea that has gained momentum across Europe and Asia.

Robo-Advisers Must Be Mindful Of Advisers Act, SEC Says

The U.S. Securities and Exchange Commission on Thursday said that "robo-advisers" should be mindful of how the Investment Advisers Act applies to them and their relationship with

Corrections Corporation of America
Facebook
Fannie Mae
Federalist Society
First NBC Bank Holding Co.
Freddie Mac
Geo Group, Inc.
Goldman Sachs Group Inc.
Hilcorp Energy Co.
HuffingtonPost.com LLC
International Bar Association
Koch Industries Inc.
Life Technologies Corporation
Mercedes-Benz
MetLife Inc.
Mexican American Legal Defense and Education Fund
NBCUniversal Inc.
National Immigration Law Center
National Public Radio Inc.
New York Times Co.
Nokia Corporation
Novartis AG
Promega Corp.
Public Knowledge
QUALCOMM Incorporated
Royal Dutch Shell PLC
Sierra Club
Sprint Nextel Corporation
Trump Organization Inc.
Universal Health Services Inc.
Wal-Mart Stores Inc.
Wells Fargo & Co.

GOVERNMENT AGENCIES

Bureau of Safety and Environmental Enforcement
Centers for Medicare & Medicaid Services

clients since their services are unique from traditional investment advisers.

ENERGY & ENVIRONMENTAL

Sierra Club To Sue EPA For Renewable Fuel Report Absence

The Sierra Club issued a notice of intent to sue the U.S. Environmental Protection Agency on Thursday, saying it had ignored its obligations to analyze the Renewable Fuel Standard by failing to publish an evaluation on air quality or communicate with Congress.

ND, Energy Cos. Ask 8th Circ. To OK \$1.3M Fee In Minn. Row

North Dakota and a coalition of energy companies told the Eighth Circuit on Wednesday that they should receive \$1.3 million in attorneys' fees and costs awarded by a lower court for prevailing in the appeal of a decision invalidating Minnesota's restrictions on out-of-state coal-fired power plants, arguing the figure was justified and mentioning that the other side was sanctioned.

Wood Group To Pay \$9.5M In False Reporting, Explosion Plea

Wood Group PSN Inc. will pay \$9.5 million over allegations of falsely reporting safety inspections and violating the Clean Water Act in connection with the November 2012 explosion at the West Delta 32 offshore facility in the Gulf of Mexico, federal prosecutors said Thursday.

HEALTH & LIFE SCIENCES

Feds To Allow Pre-ACA Policies Through 2018

Federal regulators on Thursday once again granted extra time for consumers to renew health insurance that doesn't fully comply with Affordable Care Act standards, saying the older coverage can run through 2018.

MEDIA & ENTERTAINMENT

Commodity Futures Trading Commission
Congressional Budget Office
Consumer Financial Protection Bureau
Defense Intelligence Agency
Equal Employment Opportunity Commission
European Commission
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Housing Finance Agency
Federal Reserve System
Federal Trade Commission
Financial Conduct Authority
Financial Stability Oversight Council
Fish and Wildlife Service
Florida State Senate
Government Accountability Office
Internal Revenue Service
National Credit Union Administration
National Labor Relations Board
National Marine Fisheries Service
North Carolina Wildlife Resources Commission
Office of the Comptroller of the Currency
Office of the Federal Register
Oklahoma Corporation Commission
Oregon Department of Justice
Securities and Exchange Commission

Fla. Senate Readies Gaming Bill, But House Has Other Ideas

The Florida Senate Appropriations Committee's passage of a comprehensive gaming bill to the Senate floor on Thursday raised the prospects for long-sought resolutions to multiple industry issues, but those odds looked longer as a House panel backed a proposal that hews to the status quo and rejects expansion.

Oregon Moves Forward On Bill To Revamp Sports Agent Law

Oregon lawmakers are pushing forward with what could be a first-of-its-kind bill that would significantly expand the definition of who is considered an athlete agent beyond those who negotiate contracts and provide college student-athletes with a specific civil remedy for agent misconduct.

EMPLOYMENT

NJ Doesn't Have To Pay For Ex-Election Official's Defense

A New Jersey state appeals court on Thursday found that the state does not have to cover the defense costs of a former county superintendent of elections in a lawsuit alleging retaliation against three workers because the litigation involves supervising employees and not enforcing election laws.

Former Asst. Atty Wants Firing Suit Reheard By 4th Circ.

A former Fairfax County, Virginia, assistant attorney asked the Fourth Circuit Wednesday for a rehearing of its decision upholding a district court's ruling that she could be fired after being elected to the city council, saying the case presents important issues concerning public employees' First Amendment rights.

Ill. State Worker Union Members Approve Strike If Needed

Seminole Tribe of Florida
Texas Department of Public Safety
U.S. Department of Defense
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. Supreme Court

Illinois' largest public employee union on Thursday announced that its voting members overwhelmingly authorized a strike, should the bargaining committee of AFSCME Council 31 decide to call one in its months-long struggle with Gov. Bruce Rauner over a new contract.

PRIVACY & CONSUMER PROTECTION

Trans Student Presses Bathroom Fight Despite Trump Letter

Transgender student Gavin Grimm pressed on with his challenge of a policy barring him from using the boys' bathroom at his high school on Thursday, telling the U.S. Supreme Court that the Gloucester County School Board rule violates the plain text of Title IX, a day after the Trump administration rescinded Obama-era guidance on trans rights in schools.

Arkansas Supreme Court Strikes City's LGBT Protections

The Supreme Court of Arkansas on Thursday struck down a city ordinance that banned discrimination based on sexual orientation or gender identity, but refused to address whether the state's law stripping local governments of the ability to protect LGBT rights is constitutional.

INTERNATIONAL TRADE

FTC Chair To Take On Job Licensing With New Task Force

The new acting chairwoman of the Federal Trade Commission launched a task force Thursday to tackle state and local licensing requirements that have proliferated in recent years for everyone from hairdressers and makeup artists to interior designers, a new initiative designed to pare down on "dubious" and "ridiculous" requirements threatening economic growth.

TAX

Mnuchin Shares GOP's Optimistic Timeline For Tax Reform

Treasury Secretary Steven Mnuchin exhibited the same ambition as House Republicans Thursday when he expressed a commitment to seeing growth-enhancing tax reform, with an emphasis on cuts for the middle class and business, before Congress leaves for its August recess.

IRS Asked To Create Form To Help Shareholder Compliance

An accounting trade group has urged the IRS to create a new income tax form that would compute a shareholder's basis in the stock and debt of a pass-through corporation, saying that in the past, taxpayers have misreported over \$10 million in losses due to a lack of basis.

IMMIGRATION

Oregon Seeks To Join Wash. Challenge To Trump Travel Ban

Oregon wants in on the lawsuit filed by the state of Washington that challenges President Donald Trump's executive order and its travel ban for certain foreign-born individuals, arguing Wednesday that it seeks to ensure that any relief that arises from the case protects the state and its residents.

Groups Aim To Block Trump From Slashing Refugee Numbers

The International Refugee Assistance Project and others asked a Maryland court Wednesday to stop the government from enforcing part of the travel ban executive order that slashed refugee admission numbers, saying the law doesn't allow a president to force a midyear cutback in refugees.

5th Circ. Reinstates Texas Anti-Immigrant Harboring Law

The Fifth Circuit on Thursday reinstated a Texas law that makes it a felony to harbor unauthorized immigrants, lifting an injunction

that had blocked the 2015 law from taking full effect, in a ruling praised by both the state and immigrant advocates.

TELECOMMUNICATIONS

FCC Approves 1st Foreign Co. Broadcast Station Ownership

The Federal Communications Commission for the first time ever has allowed a fully foreign-owned company to take ownership of 15 U.S. radio broadcast stations, in a decision on Thursday that approved a petition to let an Australian couple take on several stations in Alaska and Texas.

FCC Grants Small-Business Relief From Transparency Rules

The Federal Communications Commission's Republican majority voted Thursday to exempt broadband providers with 250,000 or fewer subscribers from stepped-up transparency rules in the 2015 Open Internet Order as the lone Democratic commissioner objected amid questions of how the GOP will deal with broader net neutrality rules.

FCC Pushed To Ensure Stricter Political Ad Disclosure

In a letter to the Federal Communications Commission on Wednesday, a group of 10 Democratic Congress members encouraged the agency to adopt even stricter disclosure rules for TV stations that run political advertisements.

Public Interest Groups Urge FCC Not To Undermine Lifeline

The NAACP, AFL-CIO and Public Knowledge are among a range of public interest organizations that on Thursday pressed the Federal Communications Commission to reverse course on stripping nine Lifeline low-income broadband providers of eligibility to provide service or risk undercutting the goal of connecting the poor.

EXPERT ANALYSIS

Tax Implications Of The Affordable Care Act Repeal

Because the Affordable Care Act was upheld by the U.S. Supreme Court as a tax law, its repeal would entail a \$1.1 trillion tax revenue loss over 10 years. Based on the direction that the Republicans take in crafting their replacement bill and what portions of the ACA will be repealed, individuals and corporations could be looking at drastic tax changes, say Michael White and Eddie Geraghty of M. White & Associates LLC.

Financial Services In The 1st Month Of Trump Presidency

In the first 30 days of his administration, President Donald Trump issued more than two dozen executive orders, memoranda and proclamations, several of which significantly impact the financial services industry. In addition, policymakers are turning their time and attention to reforming the nation's financial services laws, with a "Choice Act 2.0" likely to be introduced soon, say Matthew Cutts and James Sivon of Squire Patton Boggs LLP.

Challenging Emoluments Clause Violations As A Conspiracy

I'm not confident that trying to hold the Trump Organization liable for President Donald Trump's own constitutional violations will work. But there might be other legal theories under which a state attorney general could argue that Trump-owned companies act unlawfully when they receive emoluments. Consider a core white collar criminal statute — conspiracy to defraud the U.S., says Randall Eliason, a former federal prosecutor.

Inside New FAR Rule On Untimely Payment To Subcontractors

New changes to the Federal Acquisition Regulation impose mandatory reporting requirements on federal prime contractors who

fail to make full and timely payments to their small business subcontractors. Although little more than a month old, this rule already has been the source of considerable confusion, say Aron Beezley and Emily Unnasch of Bradley Arant Boult Cummings LLP.

The Uncertain Future Of PURPA, A Key To Renewable Energy

The Public Utility Regulatory Policies Act was enacted in 1978 to encourage development of alternative energy resources. But PURPA's opponents want to see it amended or repealed. With the law's supporters staying relatively quiet, calls for reform may gain traction with the new Congress and the Trump administration, say attorneys from Crowell & Moring LLP.

LEGAL INDUSTRY

Analysis

5 Rules For RFPs From The People Who Read Them

With the use of RFPs by legal departments at an all-time high, it's crucial that law firms learn how to stand out from the pack and avoid ruffling the feathers of the procurement and legal operations professionals who review the submissions. Here's how they say law firms can make the most of an RFP.

Holland & Knight Protests DQ Bid To Judge's 'Dismay'

A New York federal judge scolded Holland & Knight LLP for a letter it submitted in a case pitting First NBC Bank against ethanol distributor Murex LLC, saying the unsolicited filing contesting a bid to disqualify the firm did not reflect well on it and that its attorneys had "abused the court's courtesy."

Law360's Weekly Verdict: Legal Lions & Lambs

Sidley Austin rose to the top of this week's legal lions list with a win at the U.S. Supreme Court that limits the law's reach on overseas patent

infringement, while K&L Gates met with a less favorable fate when the justices revived a False Claims Act case against its client, Wells Fargo.

Del. Judicial Political Balance Mandate Unfair, Atty Says

A Delaware attorney is challenging a portion of the state's constitution requiring a balance of representation from "major" political parties in state judicial positions, saying in a lawsuit filed in Delaware federal court that the process is unconstitutional and unfairly excludes members of nonmajority parties and independents.

Ill. Law Firm Ex-Clients Can't Arbitrate Privacy Row As Class

A pair of former clients of Illinois law firm Johnson & Bell Ltd. can't arbitrate their claim the firm put their confidential data at risk on behalf of a putative class of Johnson & Bell clients, an Illinois federal judge said Wednesday.

Trial Consultants Q&A: DOAR's Roy Futterman

You can see an attorney have a sudden realization that we move from trial to trial, that we work on many cases in a year and spend weeks in courtrooms. When attorneys realize all of this, they often move us from the kiddie table to the big boy table. Then we pick up a turkey leg and get to work, says Roy Futterman, director at DOAR Inc.

JOBS

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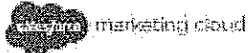
From: Lisa Snell

Sent: Tuesday, February 28, 2017 11:01 AM

To: Rep93

Subject: Center for Student-Based Budgeting Newsletter, February 2017

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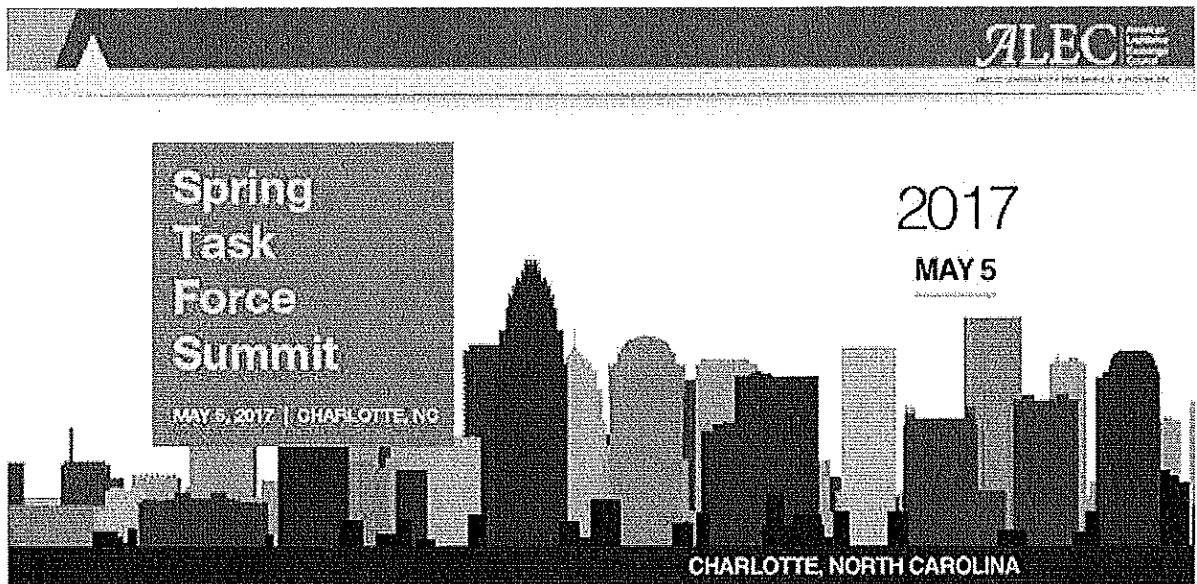
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From: Courtney Cook
Sent: Wednesday, March 1, 2017 10:36 AM
To: Rep93
Subject: Register NOW - ALEC 2017 Spring Task Force Summit!



Register NOW for the ALEC 2017 Spring Task Force Summit!

The ALEC Spring Task Force Summit is a one-day meeting designed to bring together attendees to discuss and exchange policy proposals. This year the Spring Task Force Summit will be held on May 5th in the heart of southeast, Charlotte, NC.

What to expect at the 2017 Spring Task Force Summit:

Thursday, May 4

1:00-5:00 PM - On-Site Registration Open

Friday, May 5

7:00 AM-4:00 PM - On-Site Registration Open
8:00 AM-12:00 PM - Sub-committee Meetings
8:00 AM-12:00 PM - ALEC Training
9:00 AM-12:00 PM - Joint Board of Directors and Private Enterprise Advisory Council Meeting
12:30-1:30 PM - Task Force Lunches
2:00-5:00 PM - Task Force Meetings
5:00-6:00 PM - North Carolina Welcome Reception

Register now and be a part of the conversation!

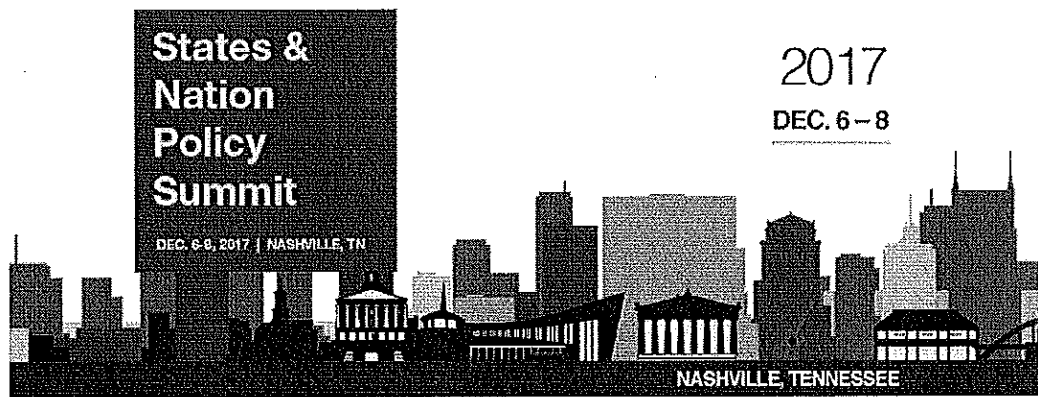
>> REGISTER NOW

After you register, be sure to reserve your hotel room at the ALEC discounted rate!

Exciting changes are happening at ALEC! As a result, you may notice a change in our registration process. If you have any questions, please let us know by contacting our events team by email or phone (571) 482-5155.

Save-the-Date for ALEC 2017 Events





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Courtney Cook | CCook@alec.org | ALEC | 2900 Crystal Drive, 6th Floor |
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From: Lynette
Sent: Saturday, March 4, 2017 5:05 PM
Subject: HJR2 - Legacy

Dear Representative,

The Convention of States Project is a **marketing schema** existing to bring an Article V convention to fruition. They **are conflating the issue** of state conventions with an Article V convention.¹ They are not the same. You must learn what the opposition is saying FROM the opposition.

There are many credible scholars who disagree with the Convention of States Project. One example is Dr. Edwin Vieira Jr who holds 4 degrees from Harvard. For over 36 years he has been a practicing attorney specializing in cases that raise issues of constitutional law. **Dr. Vieira has successfully argued or briefed cases leading to landmark decisions in the U.S. Supreme Court.** Vieira has written numerous monographs and articles in scholarly journals, and lectured throughout the country. Surely we can agree Vieira is a respected, capable and credible source. This is a 20 minute candid interview with Dr. Vieira discussing the Convention of States Project's application. Vieira "unpacks" it citing the flaws. **Even if you disagree with him there is no way around this being "a boondoggle heyday for lawyers."**

"Dr. Edwin Vieira on Article V" 0

Here: <https://www.youtube.com/watch?v=Ymlgk4JA5PQ>

This clip is of COSProject's **Mr. Mark Meckler testifying** last year in a Montana committee hearing. The Republican Chairman asked Mr. Meckler questions about our amendment history and ratification that **Mark Meckler admitted he did not know.** What else doesn't he know?

"State Legislatures can be bypassed"

3:30 min.

Here: <https://www.youtube.com/watch?v=HZrJeaEZfF8>

COSProject's Attorney Robert Natelson cites the Leser v Garnett ruling incorrectly saying the Necessary and Proper Clause does not apply to Article V when **the ruling calls the Art V process a "federal function."** Delegates are NOT state controlled as he said. Please listen to Robert Natelson in this 4 min video debunking. The ruling is linked in the description.

"Did Natelson Lie about Article V?"

4 mins.

Here: <https://www.youtube.com/watch?v=Vo00q3T6uq4>

The Assembly Of State Legislatures (ASL) is working to bring an Article V convention to fruition. The Convention of States Project has announced the ASL news on their website. COSProject's Senior Legislative Advisor, Utah's Rep. Ken Ivory is involved in it as well as others supporting the COS. Pro convention leader, Indiana's Pro Tempore David Long is a founder of the organization and on the Executive Committee. Senator Long authored and passed one of the first Art V convention companion legislations conceding what the opposition has been saying. It states how Indiana will proceed **"unless established otherwise" by the convention.**

Indiana's companion legislation Act No. 225; Chapter 3, Sec. 3 (a) (2)

"Unless established otherwise by the rules and procedures of an Article V convention, "

Bill info

here: <http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2013&request=getBill&docno=225>

Please listen to ASL member and COSProject champion say they are all "speculating" on the process and that their rules are NOT BINDING on the convention or its delegates.

"BREAKING! Legislator Admits Con Con Lie!"

2 mins

Here: <https://www.youtube.com/watch?v=RTANv-VkEaM&feature=youtu.be>

ASL website here: <http://www.assemblystatelegislatures.com/executive-committee.html>

As thoughtfully as it was said, the ASL is another **marketing ploy** to allay concerns and trick folks into supporting an Article V convention that has been correctly warned about for decades.

Who is right? **Who will settle the disputes?** COSProject's attorney Robert Natelson says there will be legal battles all along the way. ² It is ironic that one of the foremost complaints COSProject leader Michael Farris has is with our judicial system and **the rogue Supreme Court** ³ - **the same Supreme Court that will rule on these matters!**

For the Convention of States Project's plan to go the way they say, they must be right 100% of the time and win every legal battle. **For it all to fall apart the opposition only has to be right once.**

Please work to stop any and all efforts working to bring an Art. V convention to fruition. The application language only serves to meet the Article V convention threshold for Congress to convene the convention. Make no mistake, the convention does not need to "runaway." **COSProject Staff Counsel says their application opens up 90% of the Constitution for change.** There's no need to runaway. Doubly so when you understand that "limit" does not mean things are "reduced."

"Convention of States Admit Article V Application not Limited." 0

11:11 mins

<https://www.youtube.com/watch?v=kCApyUYvuRE&index=24&list=PLeknTV2zZz6vAFzX1a2qPiAkm176B2ACi>

There are some well-intended people. There are those passing the buck. And then there are some seeking to go down in history. I can't help but wonder if the eagerness for legacy is stopping some from realizing **their legacy might be that they were easily duped.**

How can anyone trust this process at this time?

How can we trust we will know good amendments considering all the manipulation?

How do we know that ratification will not be plagued with the same shenanigans and misguidance?

I urge you to vote no to HJR2 and work against all applications and efforts working to bring an Article V convention to fruition at this time.

Respectfully submitted,

Lynette Indiana

Citations:

(1) The Convention of States Project is a lobbying organization that exists to bring an Article V convention to fruition. They are intentionally **conflating the issue of "state conventions" and the Constitution's Article V "convention for proposing amendments"**. Those things are not the same. It does not help the confusion when over the decades we have all casually used the word "call" incorrectly when referring to the states? 9 actions of filing applications for an Article V convention, and many

still do. This matters in context of the delegate companion bills because you cannot build on a faulty foundation.

States have constitutionally gotten together over the centuries at "conventions" to discuss a wide variety of issues. That is fine. What states have not, and cannot do is "call" the Constitution's Article V convention for proposing amendments and therefore they cannot control the "convention for proposing Amendments." If the states do not control the convention they cannot control the delegate selection or the delegates.

(Even the COSProject's Attorney and considered Art V convention "expert" Robert Natelson agrees the delegates write the rules for the convention citing "state conventions."
(Here: https://www.youtube.com/watch?v=GZvVy_42Cac. Notice he mentions the ASL's rules that were debunk above and are *rules that the COSProject themselves did not even use* during their mock convention.)

The Constitution's Article V language reads that states may "apply" to Congress and CONGRESS "calls" the convention and that convention is at Congress's discretion. That is reinforced by the Constitution's Article 1, Sec. 8, Clause 18, the Necessary and Proper Clause.

There has never been an Art V convention for proposing amendments called. Never. And there is only one Art V convention that will propose amendments to the U.S. Constitution and we (the opposition) assure you everyone is talking about the same process.

We do not need esoteric knowledge to **grammatically breakdown Article V**. If we strip away the parts in the clause, then, the subject, verb, and direct object would read "*Congress...shall call a Convention...? D.* "Convention of States" is nowhere in there.

COSProject has coined this "convention of states" jargon to infer they are one and the same and that the states would "control" such a convention, and to avoid the commonly used term "con con," which JBS, Eagle Forum, and others have successfully warned of the dangers for over a quarter century. The "*Convention of States Project*" had to rebrand what they are selling to confuse folks and allay their fears of a potentially unlimited convention.

(2) "Say No to an Article V Convention with Peter Boyce"

Professor Robert Natelson speaking to ALEC members saying, ..."I would like to remind you of the possibility of lawsuits all along the line. Anything the convention

does that is even arguably legal can and will be challenged in the courts and contrary to what you may have heard, the court is willing to accept Article V disputes."

25 second section tagged to start at the 48:31 min mark

Here: <https://youtu.be/4P2xRwipCbo?t=48m31s>

(3) COSProject co-founder Michael Farris wants to change our judicial system to be like the European Courts of Human Rights. Adding judges to the Supreme Court will not prevent them from making rogue decisions contrary to the "newly-amended" Constitution, nor will it make Congress "check" those rogue decisions by legislatively reversing those decisions as they currently have the power to do, or in extreme cases, by impeaching those justices on the court who insist on violating their oaths, **as they currently have the power to do.**

"Michael Farris's 0 Irony Plan To Remake The Supreme Court"

By Brian Tashman | March 4, 2014

Here: <http://www.rightwingwatch.org/post/michael-farris-ironic-plan-to-remake-the-supreme-court/>

FDR's "Court Packing" Scheme Now an Inspiration for the Convention of States

MICHELLE HORSTMAN's 0 JULY 3, 2015

Here: <http://freedomoutpost.com/fdrs-court-packing-scheme-now-an-inspiration-for-the-convention-of-states/>

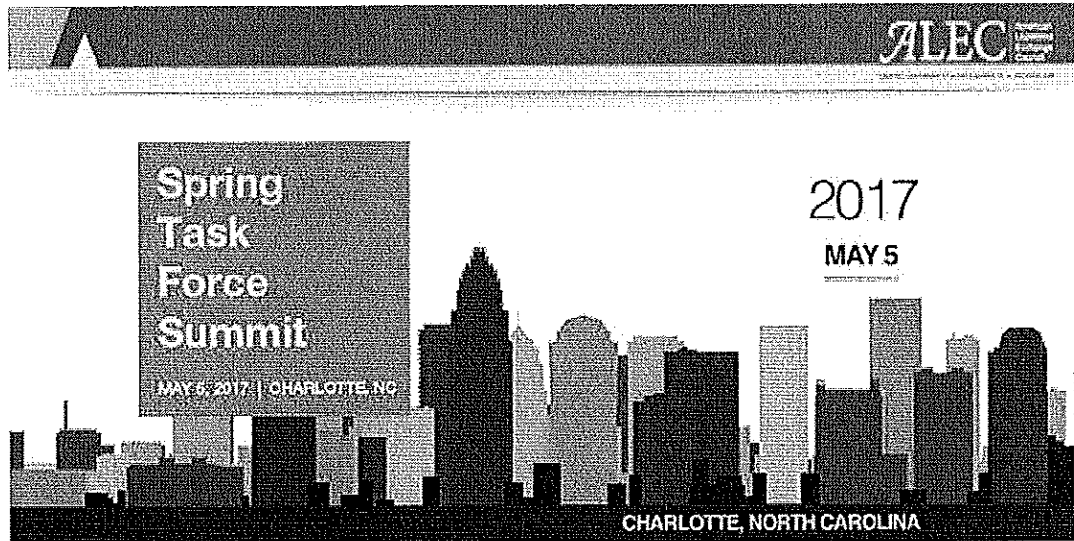
(I apologize or the ads on this cite but Google identifies its reputation as "trustworthy")

end.

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Subject: Policy Spotlight for ALEC Spring Meeting!



— THE LATEST ON THE ALEC 2017 SPRING TASK FORCE SUMMIT —



Policy Spotlight: Health and Human Services

Wondering how your state will be affected by the repeal and replacement of the Affordable Care Act? Join members from Capitol Hill, the Administration and the Task Force on Health and Human Services to discuss the latest research and ideas that will best position states to implement market-based reforms. Don't miss your chance to find out the best solution for your state—bring your ideas and questions.

>> REGISTER NOW

*Get Registered and Join
the Conversation*

Don't miss the chance to join ALEC in Charlotte, NC for this one-day meeting that brings together private and public leaders from across the country. Come and be a part of the conversation as we discuss research and solutions to current policy issues facing the states!

THE WESTIN
CHARLOTTE

*Don't forget to Reserve your
Room!*

Be sure and get your room at the host hotel while you still can. ALEC has a discounted rate at the Westin Charlotte of \$189 just for you!

Book your room NOW!

Questions? Contact our Events Team!

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To: Rep93
Subject: Trump Budget Request To Seek State Dept. Cuts, Wall Funds



Thursday, March 16, 2017



TOP NEWS

Trump Budget Request To Seek State Dept. Cuts, Wall Funds

The Trump administration is expected to unveil a budget blueprint Thursday that will propose dramatic cuts to the State Department and U.S. Environmental Protection Agency, while seeking billions more for defense issues and \$1.5 billion for the president's proposed U.S.-Mexico border wall.

Hawaii Federal Judge Blocks Trump's New Travel Ban

A Hawaii federal judge on Wednesday blocked President Donald Trump's latest version of an immigration ban prohibiting the entry of people from six Muslim-majority countries from taking effect nationwide, while the president told a cheering crowd in Tennessee he planned to defend his order all the way up to the U.S. Supreme Court.

Sens. Won't Say If FBI Has Launched Trump Russia Probe

Lawmakers on Wednesday following a meeting with FBI Director James Comey refused to reveal whether the FBI is investigating potential links between campaign staff for President Donald Trump and Russian officials, as House Intelligence Committee leaders pushed back

LAW FIRMS

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Arnold & Porter Kaye Scholer
BakerHostetler
Buchanan Ingersoll
Chimicles & Tikellis
Cooper & Kirk
Covington & Burling
Dorsey & Whitney
Duane Morris
Earthjustice
Fish & Richardson
Fragomen Del Rey
Fredericks Peebles
Frost Brown Todd
Greenberg Traurig
Hausfeld
Hogan Lovells
Hughes Hubbard
Hunton & Williams
Lawyers' Committee for Civil Rights
Levine Kellogg
Levine Sullivan
Mayer Brown

against Trump's claims that he had been wiretapped by the previous administration.

Analysis

There's More On USTR's Plate Than New Tariffs And NAFTA

Most of the Trump administration's trade policy has focused on overhauling the North American Free Trade Agreement and imposing punitive tariffs, but Tuesday's hearing to consider a new U.S. trade representative brought to light the litany of other trade issues facing the White House.

Trump National Security Adviser Pick Gets Senate OK

The Senate approved the reappointment of President Donald Trump's pick for national security adviser Wednesday, allowing Lt. Gen. H.R. McMaster to retain his active duty rank while on the job.

Senate Confirms Coats As Trump's Intel Chief

The Senate approved President Donald Trump's pick to lead the intelligence community Wednesday, as former Sen. Dan Coats, R-Ind., sailed through a pair of votes.

Sessions Promises Renewed DOJ Focus On Violent Crime

U.S. Attorney General Jeff Sessions on Wednesday said that the U.S. Department of Justice's top priority under his leadership is reducing violent crime, telling a group of law enforcement officials in Virginia that the agency will focus on federal prosecution of firearm crimes and the dismantling of drug cartels.

Analysis

Legal Fight Certain As Trump Targets Auto Emission Regs

The Trump administration may have spared itself some immediate legal battles by choosing not to nix California's ability to impose its own automobile greenhouse gas emissions

McDermott Will

Michael Best

Morvillo Abramowitz

Murthy Law Firm

Paul Hastings

Perkins Coie

Polsinelli

Priddy Cutler

Quinn Buseck

Sheppard Mullin

Skadden

Squire Patton Boggs

Stephoe & Johnson LLP

Winston & Strawn

COMPANIES

ALC Holdings LLC

AT&T Inc.

Alliance of Automobile
Manufacturers

Amazon.com Inc.

American Bar Association

American Civil Liberties Union

American Conference Institute

American Federation of Labor and
Congress of Industrial
Organizations

Ameriprise Financial, Inc.

Apple Inc.

BDO LLP

BuzzFeed Inc.

Center for Biological Diversity Inc.

CenturyLink Inc.

Chambers and Partners

Community Financial Corp.

Competitive Carriers Association

Council on Foreign Relations

Delaware Riverkeeper Network

Environmental Defense Fund Inc.

regulations while federal auto emissions standards are being reviewed, but experts say any attempt to roll back federal fuel efficiency requirements will spark litigation.

Schumer, Blumenthal Criticize Gorsuch For Labor Rulings

A pair of top Democrats continued their criticism of President Donald Trump's U.S. Supreme Court pick Wednesday, saying Judge Neil Gorsuch "has to answer" questions on his prior cases on consumer protections and labor law.

17 GOP Reps Acknowledge Climate Change, Press For Action

A group of House Republicans demanded "conservative" action on climate change in a new resolution Wednesday that aims to change the conversation in the GOP from questioning whether climate change is real toward figuring out how to fight its effects while expanding the U.S. economy.

BANKING & SECURITIES

OCC Releases Draft Guidelines For Issuing Fintech Charters

A U.S. bank regulator on Wednesday released its draft licensing manual outlining how financial technology firms can apply for and obtain new special national bank charters.

CFTC Chair Nominee Urges Scaling Back 'Flawed' Regs

Acting Commodity Futures Trading Commission Chairman Christopher Giancarlo, nominated by President Donald Trump to lead the agency permanently, on Wednesday urged the CFTC to turn away from "flawed and excessive regulation" that he says is damaging derivatives markets and economic growth broadly.

Payday Lenders Appeal Choke Point Injunction Loss

Payday lenders seeking to stop federal banking regulators from allegedly pressuring banks to

Facebook
FedEx Corporation
Franciscan Alliance Inc.
Global Automakers
Google Inc.
Hong Kong Exchanges and Clearing
International Brotherhood of Teamsters
King Pharmaceuticals Inc.
Lawyers' Committee for Civil Rights Under Law
Liberty Medical Supply Inc.
LinkedIn Corp.
Medtronic Inc.
Mexican American Legal Defense and Education Fund
National Basketball Association
National Cable & Telecommunications Association
National Collegiate Athletic Association
National Fuel Gas Co.
New York Times Co.
New York University
Oracle Corp.
Pfizer Inc.
Public Knowledge
Shanghai Stock Exchange Ltd.
Shenzhen Stock Exchange
Sierra Club
Tax Foundation
The Boeing Company
TransAm Trucking Inc.
Twitter Inc.
U.S. Chamber of Commerce
United States Telecom Association
Walgreen Co.
Zeughauser Group LLC

cut off their account access asked the D.C. Circuit on Tuesday to review a devastating February ruling that denied their quest for a preliminary injunction.

ENERGY & ENVIRONMENTAL

EPA, DOT Take Aim At Auto Emissions Standards

The leaders of the U.S. Environmental Protection Agency and U.S. Department of Transportation said Wednesday they will revisit Obama-era standards on greenhouse gas emissions for 2022 to 2025 model cars and light trucks, a win for automakers that said the standards were too tough to meet.

Enviros Fight EPA For Pruitt's Emails

The Center for Biological Diversity said Wednesday it has filed an administrative appeal of the U.S. Environmental Protection Agency's decision to deny its request for any and all communications to and from new EPA Administrator Scott Pruitt since he was confirmed by the Senate.

DOI Plans To Rescind Obama-Era Fracking Rule

The federal government is planning to take back hydraulic fracturing regulations finalized in 2015 now that Pres. Donald Trump's administration is in charge, according to a filing Wednesday asking the Tenth Circuit to put off oral arguments at least until the government makes its move.

Groups Push For Permanent Delaware Watershed Frack Ban

More than 180 groups including the Delaware Riverkeeper Network, Sierra Club, Earthjustice and Greenpeace USA submitted a letter to the Delaware River Basin Commission Wednesday calling for a permanent ban on fracking within the Delaware River Watershed, according to a news release announcing the request.

GOVERNMENT AGENCIES

Army Corps of Engineers
Bureau of Citizenship and Immigration Services
Bureau of Labor Statistics
Bureau of Land Management
Centers for Medicare & Medicaid Services
Central Intelligence Agency
Commodity Futures Trading Commission
Congressional Budget Office
Defense Intelligence Agency
Delaware River Basin Commission
Department of Commerce
Executive Office of the President
Export-Import Bank of the United States
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Election Commission
Federal Reserve System
Federal Trade Commission
Financial Stability Oversight Council
Food and Drug Administration
Indiana Attorney General's Office
Internal Revenue Service
Kentucky Legislature
Lumbee Tribe of North Carolina
NAFTA
National Labor Relations Board
National Security Agency
National Security Council
New York Attorney General's Office

Texas Files Suit At 5th Circ. Over Yucca Mountain Inaction

The state of Texas on Tuesday sued several federal agencies in the Fifth Circuit over the federal government's failure to complete the licensing process for a nuclear waste storage repository at Yucca Mountain, Nevada, saying it has violated the Nuclear Waste Policy Act.

Gas Co. Wants Enviros Kept Out Of Pa. Fracking Waste Case

Seneca Resources Corp. has told the Third Circuit that three environmentally minded groups attempting to intervene in a dispute over a Pennsylvania municipality's decision to drop an ordinance preventing the company from storing fracking waste underground do not have the right to intervene because they have suffered no actual injury that would involve them in the case.

HEALTH & LIFE SCIENCES

Dems. Blast HHS' 'Misguided' Plan To Ease Medicaid Rules

Two top Democrats on Tuesday criticized the U.S. Department of Health and Human Services' plan to fast-track approvals of waivers looking to test different ways of delivering Medicaid funds and said the agency must ensure that any such programs are in line with what Congress intended Medicaid to do.

HHS Urges Justices To Uphold Obama ACA Enforcement Rule

The D.C. Circuit correctly ruled that West Virginia hasn't been harmed by the Obama administration's decision not to enforce certain Affordable Care Act insurance standards, the U.S. Department of Health and Human Services recently told the U.S. Supreme Court.

Texas Seeks To Close Door On HHS Transgender Bias Rule

New York State Department of Financial Services
Nuclear Regulatory Commission
Office of the Comptroller of the Currency
Office of the U.S. Trade Representative
Oklahoma Attorney General's Office
Port Authority of New York & New Jersey
Securities and Exchange Commission
U.S. Army
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. Immigration and Customs Enforcement
U.S. Supreme Court
Ute Indian Tribe
World Health Organization

Several states and medical groups on Tuesday sought to make final a Texas federal court's temporary injunction blocking U.S. Department of Health and Human Services guidance that bars discrimination on the basis of gender identity from taking effect.

Greenberg Traurig Atty Brings Deep Resume To HHS Post

The Trump administration's pick for second-in-command at the U.S. Department of Health and Human Services is a Greenberg Traurig LLP attorney with two decades of health care experience as a civil servant, private practice deal-maker and international liaison.

CAPITAL MARKETS

China, Hong Kong Plan To Link Bond Markets

The Hong Kong Stock Exchange owner said Wednesday it has begun preparatory work for a connection that will link its bond market with mainland China, boosting its role as an international financial center while allowing China to expand its capital markets to overseas investors.

MEDIA & ENTERTAINMENT

Buzzfeed Seeks Toss, Transfer Of Suit Over Trump Dossier

A Russian technology executive's defamation lawsuit against BuzzFeed for publishing a dossier alleging Russia has compromising information on President Donald Trump without redacting his name has no business being decided in Florida federal court and should be dismissed or moved to New York, the media company argued on Tuesday.

EMPLOYMENT

NLRB Legal Chief Says Funding Shortfall Has Hurt Operations

The top lawyer for the National Labor Relations Board told regional offices that years of underfunding have left the agency unable to adequately staff itself or pursue necessary upgrades, in a memo sent just days before the Trump administration will unveil a proposed budget that is expected to steeply cut funding for numerous agencies.

6th Circ. Won't Vacate Ky. County Right-To-Work Ruling

The Sixth Circuit on Wednesday declined a request by a group of unions to vacate as moot its November order allowing part of a Kentucky county's right-to-work ordinance to stand, saying the interplay between the local law and a new statewide law passed in January is up to the state's legislature, not the courts.

Port Authority Ducks Ex-Worker's NJ Whistleblower Suit

A New Jersey appeals court on Wednesday rejected a retaliation suit alleging the Port Authority of New York and New Jersey forced a police inspector into retirement, saying a lack of parallel whistleblower statutes in both New York and New Jersey bars the suit.

COMPETITION

Experts Want Coordination Of Competition, Trade Policies

A group of experts commissioned by the U.S. Chamber of Commerce released a report Tuesday calling for more coordination of competition and international trade policies to prevent other countries from using antitrust enforcement actions inappropriately.

PRIVACY & CONSUMER PROTECTION

NC Lawmakers Say NCAA, ACC 'Lobbying' On Bathroom Law

North Carolina state lawmakers introduced a bill on Tuesday challenging the NCAA's and Atlantic Coast Conference's federal tax-exempt

status, alleging they engaged in "excessive lobbying activities" in moving events such as games in this year's NCAA basketball tournament from the state over its transgender bathroom law.

AEROSPACE & DEFENSE

White House Picks Top NSA Hacker For Cybersecurity Chief

The White House has picked National Security Agency official Rob Joyce as its new "cyber czar," a role that will give him oversight of the executive branch's cybersecurity efforts, an administration official confirmed Wednesday.

5th Circ. Won't Rehear 3-D Gun Printing Restriction Dispute

The Fifth Circuit on Wednesday declined to rehear en banc a gun advocacy group's argument that the U.S. Department of State had wrongfully barred it from posting digital firearm designs for 3-D printing online.

TAX

Obama Admin. Wonks Dismiss Border Tax Projections

The border adjustment tax, a central component of the GOP framework for corporate tax reform, is unlikely to raise the \$1.2 trillion in additional revenue Republicans are relying on to pay for steep rate cuts, according to two Obama administration economic policy experts.

IMMIGRATION

Pence, Ex-Ind. AG Freed From Trans Man's Name Change Suit

A transgender Mexican refugee cannot sue former Indiana officials, including ex-Gov. and current Vice President Mike Pence, over a state policy that requires name change applicants to prove their U.S. citizenship, an Indiana federal judge ruled Monday.

New Attacks Lodged Against Travel Ban Executive Order

Several Iranian-American groups and the Council on American Islamic Relations have filed fresh attacks on President Donald Trump's revised travel ban executive order, adding to the mounting legal challenges against the controversial order, key portions of which were blocked by another court Wednesday.

NATIVE AMERICAN

DOI Indian Affairs Deputy Solicitor Rejoins Steptoe

Steptoe & Johnson LLP on Tuesday announced the return of one of its attorneys who principally focuses on Native American policy and legal matters after he spent the last couple of years serving in the U.S. Department of the Interior.

TELECOMMUNICATIONS

Analysis

DC Circ.'s Delay On Net Neutrality Points To Wider Holdup

The long wait for a D.C. Circuit ruling on whether to reconsider its earlier decision upholding the Federal Communications Commission's net neutrality rules is likely part of a broader holding pattern across the government as power shifts to Republicans, with the GOP in this case likely to revisit or scrap the rules, experts say.

FCC's Pai Promises To Speed Up Innovation On Midwest Tour

The Federal Communications Commission will begin focusing on approving new technologies more quickly, agency Chairman Ajit Pai said Wednesday as he kicked off a short tour aimed at promoting broadband development in Midwestern cities.

Internet Group Urges FCC To Align Privacy Rules With FTC

The Internet Association on Tuesday told the Federal Communications Commission that it should work to bring its privacy rules for internet service providers in line with the Federal Trade Commission's framework in a way that avoids disrupting the services offered by edge providers such as Google Inc. and Facebook Inc.

FCC Told Lifeline Broadband Change Hurts Underserved Kids

Several children's and education advocates urged the Federal Communications Commission on Wednesday to reconsider its move to strip several companies of their eligibility to provide Lifeline broadband service, saying it is contrary to the public interest and hurts efforts to close the so-called homework gap for students without broadband access.

EXPERT ANALYSIS

FDA Faces Uncertainty Implementing 21st Century Cures Act

The 21st Century Cures Act sailed through Congress with broad bipartisan support, and the U.S. Food and Drug Administration stood ready to implement its provisions. Three months later, however, uncertainties created by two presidential actions have stalled the act's implementation, say Seth Rothman and Jessica Studness of Hughes Hubbard & Reed LLP.

Challenges Continue For Organized Labor In 2017

Having faced a decadeslong erosion in membership, dues revenue and political clout, the labor movement is facing another tough year in 2017. The latest threat comes from the United States Congress, where last month, the National Right-to-Work Act was introduced, say Scott Beightol and Miguel Manriquez of Michael Best & Friedrich LLP.

Considerations For Exhibit Hyperlinks In SEC Filings

Companies should begin to prepare for the mechanics of the new hyperlink requirements for U.S. Securities and Exchange Commission filings and to design disclosure controls and procedures so that they will be ready to comply on a timely basis. Some companies may even choose to comply early in order to get corporate governance "credit," say Laura Richman and Michael Hermesen of Mayer Brown LLP.

LEGAL INDUSTRY

Facebook Is King Of Legal Social Media World, Study Says

Lawyers and law firms in the U.S. continue to embrace social media as part of their marketing strategies, relying more heavily on Facebook as a primary source to bring in business, a new study released on Tuesday found.

Firms Say Tech Is Driving Legal Industry To 'Tipping Point'

Law firm leaders worldwide say that over the next five years, technological advances will change the face of their business more than competition and client demands will combined.

Ex-Hunton Patent Atty Convicted Of Insider Trading

A former Hunton & Williams LLP patent attorney on Wednesday was convicted by a Brooklyn federal jury of insider trading charges for tipping off his friend and investment adviser about Pfizer Inc.'s plans to acquire his client.

LA Firms' Survey Shows High Potential For Mergers

A number of Los Angeles firms have been eyed as viable candidates to combine with other firms over the last year, according to results of a new survey focused on the Los Angeles market released Wednesday by the legal consulting firm Zeughauser Group.

Analysis

4 Ways GCs Can Cope With Immigration Uncertainty

With change afoot in the immigration realm — and with it, overwhelming uncertainty — general counsel need to act fast and think ahead. Here's what three experts say GCs should do now to prepare their company for the reforms and rule changes that could upend their employment plans.

Plaintiffs Bar Perspective: Hausfeld's Timothy Kearns

The ability to identify with people and understand where they're coming from is a key to dealing with clients and class members. But it may be just as critical when dealing with defendants and defense counsel, says Timothy Kearns of Hausfeld LLP.

My Strangest Day In Court: Hitting A Curveball

As a trial lawyer, you make instantaneous decisions in courtrooms all the time, but that day was different. I had to balance my advocate's concern for the class of investors I represented against the empathy I felt for a fellow human being's tragic loss, says Nicholas Chimicles of Chimicles & Tikellis LLP.

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From: Donna S. Collins
Sent: Thursday, March 16, 2017 9:26 AM
To: Rep93
Subject: Update on the National Endowment for the Arts



Dear Colleagues,

Unfortunately, speculation that President Donald Trump would propose eliminating the National Endowment for the Arts (NEA) has proven to be true. In his official budget request, President Trump has asked the U.S. Congress to zero out the NEA's budget.

Although this news is disappointing, we are nowhere near the end of the road for the NEA or public support of the arts. Consider the following:

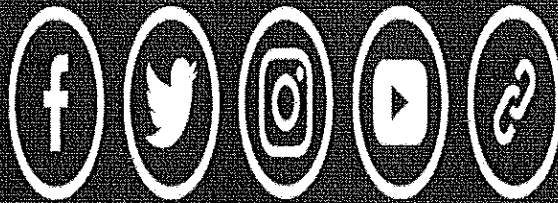
National Arts Advocacy Day is especially well-timed this year. On March 20-21—that's this coming Monday and Tuesday—arts supporters from across the nation will descend on Washington to make their voices heard. For more resources and information on how you can be an effective arts advocate, get in touch with our state's arts advocacy organization, Ohio Citizens for the Arts, or get involved at the federal level through Americans for the Arts.

Stay calm, remain strong, and be confident. The NEA has weathered these types of debates before, and together, the arts community will persevere.

Until next time,

Donna A. Collins

Donna S. Collins
Executive Director
Ohio Arts Council



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You are receiving this special update from the Ohio Arts Council because your contact information has been included in past communications as a staff member, board member, grantee, partner, or event attendee.

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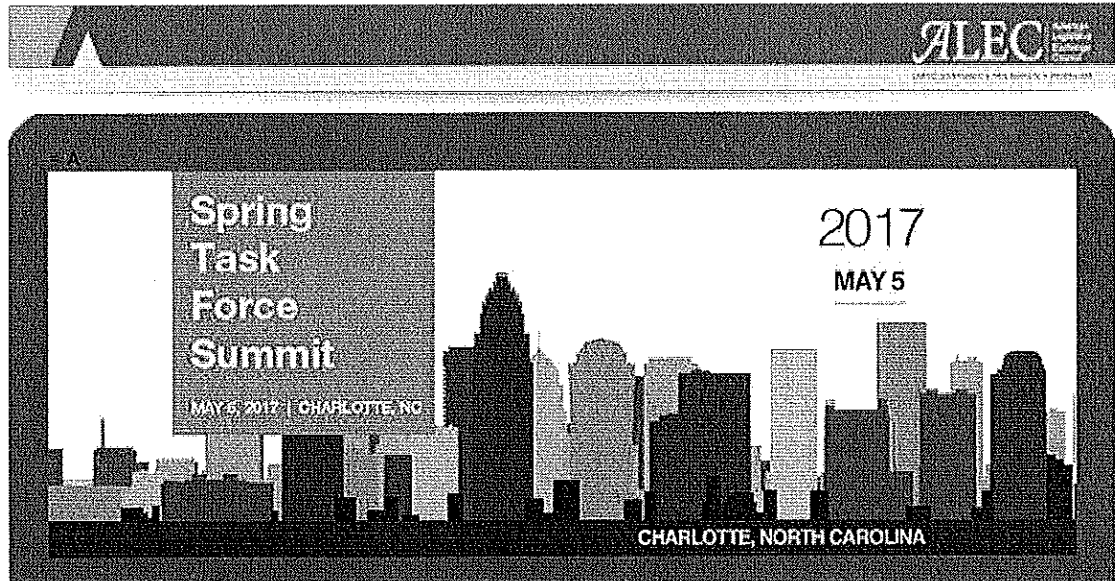
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Subject: ALEC Spring Meeting - Agenda News!



The more you
know...



**Registration Early
Bird Deadline**

The early bird deadline
for the ALEC Spring
Task Force Summit is
April 4. Register today
and save!

>> REGISTER NOW

**Agenda News, Workshop Added:
"Delivering the Tech Future: How Wired Networks
Power an Unwired World"**

Whether you're sending a critical email to a colleague, hailing an Uber, reading the latest tweet from President Trump or listening to your favorite song on Spotify, you're probably using an unwired digital device or computer. You might even be right now! But what actually makes those connections work? And what are the emerging issues that are confronting state and local policy makers?

We'll explore the implications these issues have on state and local policies and your state's overarching technology infrastructure goals.

[Want to know more? See the full description on our agenda.](#)

Have you made your hotel reservation?

ALEC has a room for you! Make your reservation today at the Westin Charlotte. Enjoy our discounted rate of \$189 until **April 11**.

Book now!

Mark your Calendar!

Our Annual Meeting Registration will open on **April 3**. Join us in Denver, CO for a great meeting!



Policy Spotlight...

Jonathon Paul Hauenschild, J.D.
Director, Task Force on
Communications & Technology

We are preparing for an insightful and exciting Task Force Meeting. We have already confirmed Federal Communications Commissioner Michael O'Rielly as our keynote speaker for lunch. It will be a great time to learn what the FCC has done since President Trump named Ajit Pai Chairman, the vision of the FCC moving forward with a majority of the commissioners supporting free market approaches, and will be a time when you can ask the Commissioner questions about FCC operations.

Are you a Legislative Member of ALEC?

Take advantage of our reimbursement program to help offset your cost to attend our Spring Task Force Summit. If eligible, you can receive up to \$350 in travel reimbursement and two nights' 9 hotel stay.

Please contact [Spencer Chretien](#) for more information.

Questions? Contact our events team!



Remember!

Spring Task Force Summit
Early Bird Deadline:
April 4
Housing Deadline:
April 11

This message was sent to rep93@ohiohouse.gov from:

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Subject: March ☒ Events, Advocacy, & Deadlines

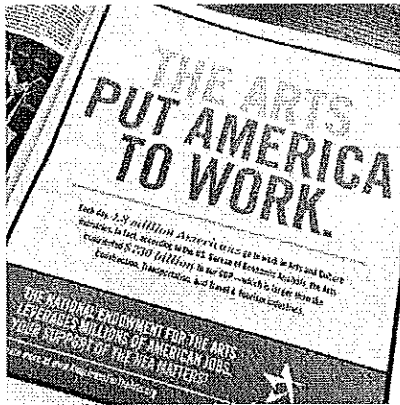
Catch up with what's new on the blog, mark your calendar for panel meetings, and save the date for upcoming events.

[View this email in your browser](#)

Share your story with #ArtsOhio



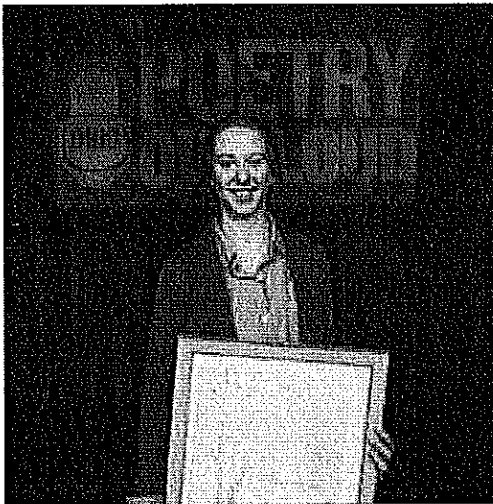
ARTS ADVOCACY DAY RECAP



As you know, last Thursday, President Donald Trump proposed eliminating the National Endowment for the Arts (NEA) in his budget request to Congress. Without delay, advocates for the arts snapped into action to defend the importance of public funding for the arts.

Here at the Ohio Arts Council (OAC), we proudly carried the same message to Washington—public funding for the arts through the National Endowment for the Arts is essential.

KEEP READING DONNA'S MESSAGE



**MEET THE 2017 OHIO *POETRY*
OUT LOUD STATE CHAMPION**



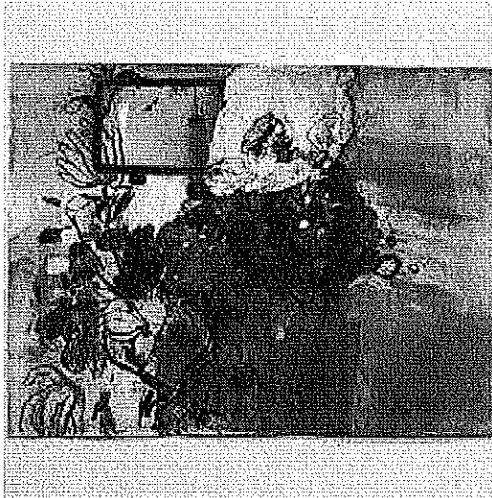
**SOCIAL IMPACT INVESTING: THE
DICK & JANE PROJECT**

Madeleine Schroeder, a senior at Columbus Alternative High School, won Ohio's 12th annual *Poetry Out Loud* State Finals held on March 4. She goes on to represent Ohio in the National Finals in Washington, D.C., April 25-26. Congrats and good luck to Maddie!

As part of an ongoing blog series with The Wells Foundation, Patrick Westerlund interviews Ben Shinabery, founder of the Dick & Jane Project, in this month's creative spotlight. Learn more about the organization and how alternative funding models fuel their success.

**MORE ABOUT THE 2017
POETRY OUT LOUD FINALS**

**DICK & JANE PROJECT +
IMPACT INVESTING**



**CONNECTED THROUGH THE
HUMAN EXPERIENCE: PART 1 OF**

3

Experiences, the lessons learned



**OHIO HOUSE OF
REPRESENTATIVES STUDENT
ART EXHIBITION**

Artwork from each of the 99 districts

and communicated, are the concepts that drive the current exhibition *Come Along With Me*. In this series, Kim Webb, Riffe Gallery fellow, interviews three of the exhibited artists to hear their story. First up is Dan Jian.

**RIFFE GALLERY ARTIST
INTERVIEW WITH DAN JIAN**

of the Ohio House of Representatives is featured in this annual exhibition. [Check out photos](#) from the March 4 ceremony that honored the achievement and creativity of the 2017 student artists.

**LEARN MORE ABOUT THE
EXHIBITION**

SPOTLIGHT ON THE 2017 GOVERNOR'S AWARDS WINNERS

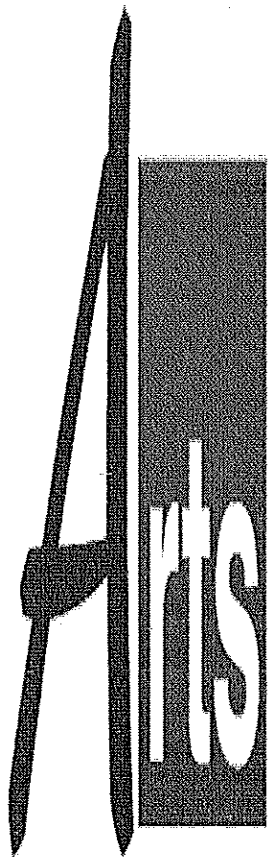
Get to know the winners through the words of their supporters. Head to the ArtsOhio blog to learn more about [Raymond Bobgan](#), [Jim McCutcheon](#), [SMARTS](#), and [Puffin Foundation West](#). Posts will continue to be published as we count down to the luncheon on May 17.



PURCHASE TICKETS & PROGRAM ADS ONLINE

REMINDER | MARCH 28 WEBINAR WITH ARTS
MIDWEST

Tune in on Tuesday, March 28, 1:30-2:30 p.m. to discover funding and learning opportunities with Arts Midwest, including the Arts Midwest Booking and Education Conference and the Arts Midwest Touring Fund. Can't listen in? [Subscribe to the OAC's YouTube Channel](#) and watch the recording.



MIDWEST

REGISTER FOR THE ARTS MIDWEST WEBINAR

PROFESSIONAL DEVELOPMENT &
NETWORKING OPPORTUNITY

CAUSE COLLABORATIVE

June 2, 2017, at the Columbus College
of Art and Design

Cause Collaborative is an annual event
catered to the nonprofit and social
enterprise community. This year's
conversations are centered on the theme
Art Unites Us. Topics include fundraising,
board development, diversity, strategic
planning, and more. Visit
causecollab.com for a full schedule,
sponsorship opportunities, and a look at
past events. TICKETS ONLY \$50.



Mark Your Calendar

April 3: ArtSTART Deadline and Sustainability Year 3 Updates Due
April 5: OAC Spring Board Meeting
April 6: Arts Access Panel Meeting
April 7: Traditional Arts Apprenticeship Panel Meeting
Arts Partnership | Day One
April 12: Arts Partnership | Day Two
April 18: ArtsNEXT | Day One
April 19: ArtsNEXT | Day Two
April 24: *Poetry Out Loud* National Finals in Washington D.C.

Happening in the OAC Riffe Gallery

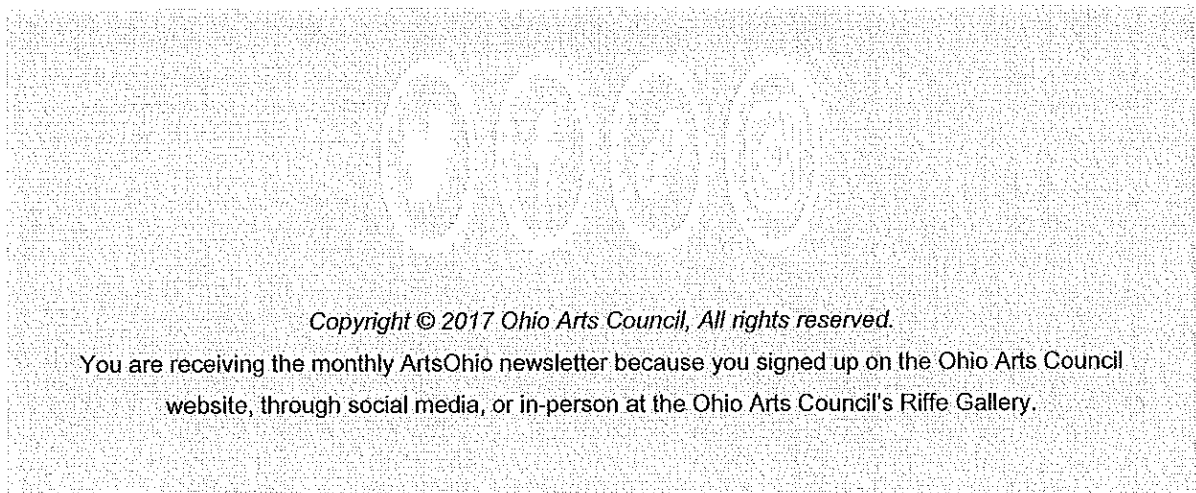
Drop-in during lunch for **FREE** workshops with Melissa Vogely-Woods during the *Come Along With Me* exhibition. All levels welcome!

March 29: Personal narrative tree project
April 5: Stitched book binding workshop
April 12: Narrative-based collage project

Coming Soon | Lobby Exhibition

March 28 - April 3: *The Collage of Women Artists*
Artwork by female amateur and professional artists who grow, show, and paint together.

Image credits: 1) Todd Callentine, Ohio POL event photographer; 2) Provided by Ben Shinabery of the Dick & Jane Project; 3) Courtesy of the artist Dan Jian, Blue Threads and Buddha's Hand; 4) Mike Elicson, Ohio House of Representatives event photographer.



Ohio Arts Council
30 East Broad Street, 33rd Floor
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Subject: House Sets Climactic Friday Vote On ACA Repeal



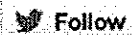
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PUBLIC POLICY

The Road To 60 Votes: Confirming Neil Gorsuch

Follow Law360's up-to-the-minute coverage.

Friday, March 24, 2017



TOP NEWS

House Sets Climactic Friday Vote On ACA Repeal

The U.S. House of Representatives will vote Friday on whether to repeal and replace much of the Affordable Care Act, marking a high-stakes test for President Donald Trump and the Republican-controlled Congress.

GSA Says Trump Org Has Complied With Disputed Hotel Lease

The U.S. General Services Administration on Thursday announced that the Trump Organization has complied with its \$180 million lease on the federally owned Old Post Office building in Washington, D.C., after concerns that President Donald Trump's connection to the lease may have broken a contractual clause.

As Gorsuch Panel Ends, Senate Filibuster Looms

After days of committee questioning and testimony on Tenth Circuit Judge Neil Gorsuch,

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Audet & Partners
Baker Botts
Bartko Zankel
Bartlit Beck
Berenzweig Leonard
Brashear LLP
Chadbourne & Parke
Covington & Burling
Creizman LLC
Cuneo Gilbert
Debevoise & Plimpton
Dewey & LeBoeuf
Dinsmore & Shohl
Earthjustice
Fish & Richardson
Foley Hoag
Gibson Dunn

President Donald Trump's nominee to the U.S. Supreme Court, many Democrats cemented their opposition Thursday and could try to block his confirmation.

Trump Admin. Gets Fast Appeal Of Immigration Ban Suit

The Fourth Circuit on Thursday granted the federal government's request for an expedited appeal of a Maryland federal judge's ruling blocking President Donald Trump's revised immigration ban targeting migrants from majority-Muslim countries, after the government cited "national security needs."

Senate Votes To Undo FCC's Broadband Privacy Rules

The U.S. Senate on Thursday passed a resolution to repeal broadband privacy rules issued by the Federal Communications Commission last year, leaving the fate of the hotly contested measure in the hands of the U.S. House of Representatives.

Senate Sends Repeal Of OSHA Record-Keeping Rule To Trump

The U.S. Senate on Wednesday passed a resolution to kill an Obama-era regulation that would allow the Occupational Safety and Health Administration to fine employers over a full five-year period for failing to properly track and report workplace injuries and illnesses after they occur, sending the measure to President Donald Trump for likely approval.

Analysis

4 Tax Changes Delaying GOP Health Plan Vote

As President Donald Trump and House Republicans struggle to get backers for their health care plan to replace the Affordable Care Act, Law360 looks at some of the controversial tax changes that are holding up a House vote.

Analysis

US Atty Hopefuls In Calif. Face Uncertain Process

Goldberg Kohn
Goldstein & Russell
Goodwin
Gordon & Rees
Hogan Lovells
Holland & Knight
Hymson Goldstein
Jenner & Block
Johnson & Bell
Jones Day
Krovatin Klingeman
Law Offices of Ann C. Flannery LLC
Locke Lord
Mayer Brown
McDonald Carano
Milbank Tweed
Morgan Lewis
Morris Manning
Morvillo Abramowitz
Nossaman LLP
O'Melveny & Myers
Ogletree Deakins
Outten & Golden
Proskauer Rose
Reed Smith
Rogers Joseph
Sanford Heisler
Schlam Stone
Seward & Kissel
Sidley Austin
Siprut PC
Skadden
Squire Patton Boggs
Steptoe & Johnson LLP
Sullivan & Cromwell
Thompson & Knight
Traub Lieberman

California's four U.S. attorney positions are currently open, but political friction between the state's Democratic senators and the White House has the application process off to a haphazard start.

BANKING & SECURITIES

Analysis

5 Takeaways From Clayton's SEC Confirmation Hearing

President Donald Trump's nominee to chair the U.S. Securities and Exchange Commission, Sullivan & Cromwell LLP partner Jay Clayton, scored points with Republican lawmakers at his confirmation hearing Thursday by lamenting a recent decline in IPOs, but did little to reassure Democrats about his conflicts of interest and financial industry connections. Here are five key takeaways from Thursday's hearing

ENERGY & ENVIRONMENTAL

Lawmakers Introduce Bipartisan Water Infrastructure Bill

A bipartisan group of U.S. senators on Wednesday announced the introduction of a new piece of legislation to provide increased flexibility to local communities when they are complying with federal requirements for updates to water infrastructure projects.

Reps. Again Float Bill To Boost Funding For Mine Cleanups

U.S. Reps. Jody Hice, R-Ga., and Alan Lowenthal, D-Calif., again floated a bill Wednesday to form a foundation that raises private funding to help the federal government more quickly and effectively clean up mines, citing the Gold King Mine spill as an example of the need for boosted financial aid.

High Court Shouldn't Delay Water Rule Suit, 7 States Say

New York, six other states and Washington, D.C., have asked the U.S. Supreme Court not

Vorys Sater
Wasserman Jurista
Wiley Rein
WilmerHale
Zeldes Haeggquist

COMPANIES

AAR Corporation
Airbnb Inc.
Alibaba Group Holdings Ltd.
Amazon.com Inc.
American Bar Association
American Civil Liberties Union
American Farm Bureau Federation
American Federation of Labor and Congress of Industrial Organizations
Association of American Railroads
Association of Corporate Counsel
BP p.l.c.
Barclays PLC
Barnes & Noble Inc.
Bayer AG
Bayer CropScience Ltd.
Bristol-Myers Squibb Company
Center for American Progress
Chevron Corporation
Communications Workers of America
Deutsche Bank AG
Dow Chemical Co.
FTI Consulting Inc.
Facebook
FilmOn PLC
Goldman Sachs Group Inc.
Google Inc.
Herbalife Ltd.
Human Rights Campaign
JPMorgan Chase & Co.

to pause an appeal of the Sixth Circuit's decision that it has jurisdiction to hear challenges to the so-called Waters of the United States rule, arguing that despite President Donald Trump's executive order to revise or rescind the measure, the case should proceed through the courts.

EPA Ordered To Review 13 Sources Of Air Pollution By 2020

A D.C. federal judge on Wednesday ordered the U.S. Environmental Protection Agency to update national emission standards for 13 sources of hazardous air pollutants — which the agency had failed to do as required by the Clean Air Act — by 2019 or 2020.

NJ Water Agency Settles Claims Against Ex-Board Members

A judge on Wednesday approved a roughly \$1.1 million settlement between a defunct Newark, New Jersey, water agency and an insurer over the coverage of mismanagement claims against former agency board members, including U.S. Rep. Donald M. Payne Jr., D-N.J., and U.S. Sen. Cory Booker, D-N.J., whose dismissal victory over the claims was being challenged.

HEALTH & LIFE SCIENCES

House Repeals Antitrust Immunity For Health Insurance Cos.

The U.S. House of Representatives on Wednesday overwhelmingly passed a bill that restores the government's ability to charge health insurers under federal antitrust laws, but while Republicans touted it as a way to protect competition and consumers, Democrats called such claims "exaggerated."

ACA Repeal Savings Decline By Nearly \$200B, CBO Says

Recent revisions to GOP-backed legislation intended to repeal and replace the Affordable Care Act would cause the bill to save almost

Laborers' International Union of North America

Lockheed Martin

Los Angeles Times

Monsanto Company

National Association of Broadcasters

National Association of Manufacturers

National Employment Law Project

National Health Law Program

National Immigration Law Center

Natural Resources Defense Council

Northrop Grumman Corporation

Orange County Transportation Authority

Svenska Cellulosa AB

T-Mobile USA Inc.

Tenaris S.A.

Trump Organization Inc.

United States Steel Corporation

United Steelworkers

Varsity Brands Inc.

GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Labor Statistics

Bureau of Land Management

Commodity Futures Trading Commission

Congressional Budget Office

Defense Contract Management Agency

Department of Commerce

Equal Employment Opportunity Commission

European Commission

Executive Office of the President

Federal Acquisition Regulatory Council

\$200 billion less than originally expected, the Congressional Budget Office estimated Thursday.

Trump Names Heritage Foundation Director For HHS OCR

The Donald Trump administration has reportedly named a former Heritage Foundation official to lead the U.S. Department of Health and Human Services' Office of Civil Rights, igniting protests Thursday from civil rights organizations, who call him an "anti-LGBT extremist."

SPORTS

Ark. Lawmakers Wavering On Firearms At College Sports

Arkansas lawmakers on Thursday pushed forward with a new bill that would exempt college sports games from a law passed earlier this week that allows licensed individuals to carry concealed firearms on college campuses across the state.

TRANSPORTATION & INFRASTRUCTURE

DC Court Rejects Feds' Bid To Save Amtrak Regulatory Power

A D.C. federal judge on Thursday rejected the government's bid to preserve a federal statute allowing Amtrak to set performance and scheduling standards along the nation's passenger railways, saying the D.C. Circuit unequivocally struck down the statute as unconstitutional last year.

RETAIL & E-COMMERCE

Ariz. Supreme Court Nixes Atty Fee Award In Contract Row

The Arizona Supreme Court on Thursday threw out attorneys' fees awarded to the successful party in a yearslong contract dispute between a scooter vendor and retailer, saying state law

Federal Communications Commission
Federal Railroad Administration
Federal Trade Commission
Government Accountability Office
Illinois Supreme Court
Internal Revenue Service
International Trade Administration
International Trade Commission
Los Angeles County District Attorney's Office
NATO
National Labor Relations Board
National Railroad Passenger Corporation
Navajo Nation
New York Attorney General's Office
Occupational Safety and Health Administration
Securities and Exchange Commission
Small Business Administration
Surface Transportation Board
U.S. Air Force
U.S. Army
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Environmental Protection Agency
U.S. General Services Administration

came down in favor of the losing side of the dispute because the winner had rejected the loser's written settlement offer.

REAL ESTATE

Miami Hints At Suing Airbnb To Stop Illegal Renting

The Miami City Commission voted Thursday to look into the possibility of suing platforms like Airbnb as a means of curbing short-term rentals in residential neighborhoods where they're prohibited by zoning laws.

EMPLOYMENT

Worker Groups Give Acosta Thumbs-Down After Hearing

Labor secretary nominee Alexander Acosta's performance at his confirmation hearing Wednesday drew criticism from labor groups that he failed to outline his position on a range of key issues, an assessment that came even from some organizations that had previously expressed cautious optimism about his selection.

NJ Assembly Passes Bill Nixing Secret Whistleblower Deals

A New Jersey bill that would require whistleblower settlements involving government parties to be public domain received unanimous approval by the Assembly on Thursday, three days after a fired prosecutor testified that his \$1.3 million deal from the state shields key documents supporting his case.

Rental Car Co. Settles Sex Bias Case With Lesbian Driver

A lesbian car transport driver and Enterprise Rent-a-Car subsidiary EAN Holdings LLC have agreed to dismiss her push for the Eighth Circuit to revive her Title VII sexual orientation discrimination case against the company, according to a notice filed Thursday.

U.S. House of Representatives
U.S. Immigration and Customs
Enforcement
U.S. Senate
U.S. Supreme Court
United Nations

4th Circ. Affirms Toss Of Retirees' Health Benefits Suit

A Fourth Circuit panel on Wednesday affirmed a district court's dismissal of a suit from a class of West Virginia aluminum plant retirees and their union that sued the plant's operator after it unilaterally altered its retiree health benefits program, saying their collective bargaining agreement doesn't provide for vested retiree health benefits.

PRIVACY & CONSUMER PROTECTION

Calif. Toll System Doesn't Violate Drivers' Privacy, Court Told

The operators of a cashless toll system in Orange County, California, told a federal judge that state laws authorize toll agencies to use driver information to collect unpaid tolls, slamming a proposed class of drivers claiming the practice violates their privacy.

GOVERNMENT CONTRACTS

GSA To Tweak Multiple Award Schedules In April

The General Services Administration's Federal Acquisition Service will refresh its Multiple Award Schedules in April, incorporating a range of recent related rule changes such as paid sick leave for federal contract employees and small business subcontracting tweaks, it said on Wednesday.

Advocacy Group Warns 5th Circ. Not To Dissuade FCA Suits

Taxpayers Against Fraud's nonprofit arm urged the Fifth Circuit Wednesday to revive a would-be whistleblower's False Claims Act suit accusing Lockheed Martin and Northrop Grumman of concealing the true cost of the hugely expensive F-35 fighter program, arguing relators like these need to be incentivized, not discouraged.

INTERNATIONAL TRADE

Lawyers Rip White House For Intervening In Dumping Review

Lawyers involved in an anti-dumping duty review of Korean oil piping materials blasted the National Trade Council head Peter K. Navarro for allegedly applying White House political pressure and faulty logic to a U.S. Department of Commerce dumping margin review.

India Floats Draft Text Of WTO Services Agreement

India has circulated a new proposal outlining its vision for a World Trade Organization services agreement, which could loosen up cross-border rules for financial services, telecommunications and scores of other lucrative industries, the WTO said Thursday.

TAX

Ill. Justices Remand Non-Profit Hospital Property Tax Issue

A long-fought case involving property tax exemptions for non-profit hospitals will head back to circuit court after the Illinois Supreme Court declined to rule on the law's constitutionality Thursday.

Employers Flouting Tax Laws Owe \$45B, IRS Watchdog Says

Nearly 1.5 million employers in the U.S. owed more than \$45 billion in employment taxes, interest and penalties as of December 2015, according to a Wednesday report from an Internal Revenue Service watchdog, which said the IRS should change how it pursues egregious employment tax cases.

IMMIGRATION

Courts Should Be Safe For Immigrants: Wash. Chief Justice

Washington State Supreme Court Chief Justice Mary Fairhurst on Wednesday proposed

designating local courthouses as "sensitive areas" to rein in immigration enforcement activity on site, saying current enforcement efforts could make immigrants hesitant about seeking public services and protection.

NATIVE AMERICAN

Navajo Again Sues DOI Over \$17M Judicial Branch Funding

The Navajo Nation has accused the U.S. Department of the Interior in D.C. federal court of improperly rejecting most of a roughly \$17 million funding request for its judicial branch, the latest installment in a back-and-forth about how much money the tribe is entitled to for the branch's operation.

TELECOMMUNICATIONS

FCC Advances Plan Targeting Illegal Robocalls

The Federal Communications Commission on Thursday agreed to float a proposal at an active meeting, which would allow certain carrier call-blocking to limit unlawful robocalls, with the FCC chief touting it after the meeting as part of his "fast start" as chairman.

T-Mobile Urges FCC Not To Delay Post-Auction Transition

T-Mobile encouraged the Federal Communications Commission on Wednesday to refuse broadcaster requests to delay the transition of stations to new channels after the broadcast incentive auction, arguing that there is no justification for extending or delaying the process.

PEOPLE

Former CFTC General Counsel Joins Skadden In DC

The former general counsel for the U.S. Commodity Futures Trading Commission has joined Skadden Arps Slate Meagher & Flom

LLP's derivatives group in Washington, D.C., the firm announced on Thursday.

Arnold & Porter Snags Ex-Obama Enviro Official

Arnold & Porter Kaye Scholer LLP has added to its Washington, D.C., office a top Obama appointee recently departed from the U.S. Environmental Protection Agency.

EXPERT ANALYSIS

Delays And Uncertainty Surround Trump's Latest Travel Ban

As the constitutionality of President Donald Trump's latest immigration-related executive order is pending, the administration is cracking down on immigration benefits more generally, and employers may want to exercise extreme caution before having nationals of the EO's six designated countries travel internationally, say Maria Fernanda Gandarez and Matthew Kolodziej of Ogletree Deakins Nash Smoak & Stewart PC.

Reducing Administrative Burden Under New 'Common Rule'

The U.S. Department of Health and Human Services' recent revisions to the "Common Rule" aim to reduce administrative and regulatory burden on the informed consent process. However, the revised rule will simply add to or shift such burden to other individuals and entities, say Lisa Rooney and Scott Lipkin of FTI Consulting.

Construction Projects Require Special Contracts In Nevada

Standard form construction contracts and custom contracts developed for use in other states do not comply with Nevada law. When beginning a construction project in Nevada, those contracts must be modified to account for the state's unique construction statutes, says Paul Georgeson of McDonald Carano LLP.

10 Tips For Better Legal Negotiations

Like everything else, the art of negotiation starts by having a conversation. It's about being respectful, finding common ground, knowing what you want and, most importantly, listening. A conversation between two lawyers can be complicated at best, but by employing a few techniques and tactics, it doesn't have to be that way, says Marc Siegel of Siegel & Dolan Ltd.

LEGAL INDUSTRY

Law Firms' Flex Work Options Little Used, Study Says

Lawyers are still reluctant to take advantage of telecommuting, reduced hours arrangements and other flexible work options despite the presence of formal policies at their law firms, according to a new study released Wednesday.

Chadbourne Pressed Women Attys To Pan Bias Suit, Vet Says

Facing a \$100 million proposed class action accusing the firm of systematic discrimination against women lawyers, Chadbourne & Parke LLP's D.C. office head pressured other female partners to sign a letter disavowing the allegations, one of the women lawyers suing the firm said in a Thursday filing.

Law360's Weekly Verdict: Legal Lions & Lambs

Goodwin Procter LLP reigned supreme on the legal lions list this week, securing the U.S. Supreme Court's favor for the country's largest cheerleading uniform supplier in a copyright infringement suit, while Amster Rothstein & Ebenstein LLP was among the week's legal lambs over another high court decision in which the justices axed its client's laches defense in a patent infringement suit over adult diapers.

Dewey Finance Staffer Says She Cooked The Books

A former Dewey & LeBoeuf LLP finance department staffer told a Manhattan jury Thursday she improperly reversed accounting entries on the law firm's books and lied to partners and others who questioned the suspect treatments.

Pro Bono Institute CEO Talks In-House Work For Public Good

In-house pro bono programs can boost morale and build stronger teams, but corporate legal departments need to address a few unique issues before launching one, according to Eve Runyon, president and CEO of the Pro Bono Institute.

Longtime Illinois Federal Judge John Darrah Dies At 78

U.S. District Judge John Darrah, who spent about 30 years on the bench in state and federal courts and earned a reputation as a fair and dedicated public servant, passed away on Thursday at age 78.

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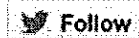
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From: Public Policy Law360
Sent: Monday, March 27, 2017 5:28 AM
To: Rep93
Subject: After Repeal Fails, GOP Faces Pressure To Make ACA Work



Monday, March 27, 2017



TOP NEWS

After Repeal Fails, GOP Faces Pressure To Make ACA Work

The collapse of Republican efforts to repeal and replace the Affordable Care Act leaves GOP lawmakers and President Donald Trump facing strong pressure to help implement a law they have bitterly opposed for years, experts say.

ABA President Balks At Rep's Call For More Lawyer Ad Regs

The president of the American Bar Association pushed back Friday on a call from a U.S. House of Representative judicial leader for new regulations on "dangerous attorney advertisements" put out by firms seeking clients for cases against drugmakers, reminding him of First Amendment protections and rules that are already in place.

Analysis

EEOC Guidance Draws Fire For Stance On Orientation Bias

Law firms and LGBT rights advocates were among those who weighed in on the U.S. Equal Employment Opportunity Commission's new workplace harassment guidance before the recent comment deadline, discussing provisions that say Title VII prohibits harassment based on sexual orientation and a perceived paucity of

LAW FIRMS

Akeel & Valentine
Arnold & Porter Kaye Scholer
Blank Rome
Brownstein Hyatt
Covington & Burling
Cravath Swaine
Crowell & Moring
Davis Wright Tremaine
Debevoise & Plimpton
Dechert
Dewey & LeBoeuf
Doerner Saunders
Dorsey & Whitney
Edelson PC
Epstein Becker Green
Foley & Lardner
Gardere Wynne Sewell
Haynes and Boone
Hogan Lovells
Holland & Knight
Jackson Lewis
Jacoby & Meyers
Johnson & Bell
Karnopp Petersen LLP

detail on joint-employer liability. Here, Law360 looks at three areas of the proposed guidance that commenters want changed or clarified.

Analysis

What You Need To Know About The Border Wall So Far

With the U.S. government officially seeking proposals for the border wall, the Trump administration seems determined to get started on its wall project as soon as possible. Here's a look at the wall's potential costs, its contracting requirements and the many land, tribal and environmental issues that could get in the way.

Analysis

FCC Faces Quandary If Obama-Era Privacy Rules Get Boot

If the House follows the U.S. Senate's lead in voting to undo late Obama-era Federal Communications Commission privacy rules for internet service providers, experts say the FCC may face an untested legal question of whether it can adopt an alternative preferred by the agency's new GOP chairman.

Va. Court Refuses To Block Trump's Latest Travel Ban

A Virginia federal judge on Friday refused to issue a ruling blocking President Trump's revised travel ban, in a break with two other federal courts that have considered the issue, pointing to "substantive revisions" in the president's new executive order.

Federal Tort Reform Bill Could Save \$50B, CBO Says

The Congressional Budget Office said a tort reform bill that proposes to put a nationwide cap on noneconomic damages in medical malpractice cases arising out of federally funded health care programs could save up to \$50 billion in health care costs over the next 10 years.

BANKING & SECURITIES

Lawyers' Committee for Civil Rights

Miller & Chevalier

Miller Shakman

Morrison Cohen

Ogletree Deakins

Osler Hoskin

Pachulski Stang

Paul Weiss

Proskauer Rose

Reed Smith

Sauer & Wagner

Seward & Kissel

Seyfarth Shaw

Skadden

Squire Patton Boggs

Steptoe & Johnson LLP

Stroock & Stroock

Sullivan & Cromwell

Telecommunications Law Professionals

Thompson & Knight

Thrasher Dinsmore

Warren Environmental Counsel LLC

Weil Gotshal

White & Case

Winston & Strawn

Ziprick & Cramer

COMPANIES

AARP Inc.

Ally Financial Inc.

Altera Corporation

Amazon.com Inc.

America's Essential Hospitals

America's Health Insurance Plans

American Association of State Highway and Transportation Officials

Piwowar Applauds Market Study, Plans Exchange Fees Pilot

Acting U.S. Securities and Exchange Commission Chair Michael Piwowar on Thursday praised plans to launch an academic study of the U.S. securities markets as "long overdue" and revealed he has directed agency staff to propose their own plan to test the impact of altering the fees that exchanges charge for executing trades.

Fed, FDIC Seek Improvements In Northern Trust's Living Will

Federal banking regulators on Friday said that plans submitted by 16 U.S. regional banks outlining how they could be taken apart through bankruptcy were largely credible, but said that Northern Trust Corp. did not sufficiently address questions about how its international units could be taken apart.

Jacoby Loses 2nd Circ. Bid Over NY Outside Investor Ban

Jacoby & Meyers LLP lost its bid to revive its yearslong suit challenging New York state regulations barring nonlawyers from investing in law firms on Friday when a Second Circuit panel said the firm's free speech claims fell flat.

ENERGY & ENVIRONMENTAL

Trump Grants Cross-Border Permit For Keystone XL Pipeline

The U.S. Department of State on Friday issued a cross-border permit for TransCanada Corp.'s Keystone XL pipeline, fulfilling President Donald J. Trump's vow to move the controversial project forward after it was rejected by former President Barack Obama.

Colo. Appeals Court Revives Fracking Rule Proposal

The Colorado Court of Appeals said Thursday the state Oil and Gas Conservation Commission was too hasty when it told a group

American Bar Association
American Express Company
American Hospital Association
American Immigration Lawyers Association
American Medical Association Inc.
American Municipal Power Inc.
Apple Inc.
Associated Press
BB&T Corporation
Barclays PLC
Biogen Inc.
Bristol-Myers Squibb Company
CTIA
Cable-Satellite Public Affairs Network
Capital One Financial Corporation
Cargill Inc.
Chevron Corporation
Comerica Inc.
Corporation for Public Broadcasting
Credit Suisse Group AG
Deloitte Touche
Deutsche Bank AG
Discover Financial Services
Electronic Frontier Foundation
Enbridge
Facebook
Fannie Mae
Farm Credit System
Fifth Third Bancorp
Florida Bar Association
Freddie Mac
Genentech Inc.
Google Inc.
Human Rights Campaign
Huntington Bancshares Inc.

of residents it could not adjust its permit process to dedicate more resources to studying fracking projects' effects on public health, safety and welfare.

Power Co. Urges High Court To Review EPA Boiler Rule

An electric power wholesaler on Thursday asked the U.S. Supreme Court to strike down the U.S. Environmental Protection Agency's emissions rules for boilers and incinerators, saying the standards require "impossible perfect performance?" and outlaw accidental releases.

Pa. Landowners' Suit To Get Fracking Project OK'd Tossed

A Pennsylvania federal judge on Thursday dismissed a suit brought by landowners challenging the Delaware River Basin Commission's jurisdiction over natural gas wells in the face of the governing body's alleged de facto ban on the wells, deciding that the commission does have an oversight role and that individuals who want to extract natural gas must first seek its permission.

HEALTH & LIFE SCIENCES

ACA Repeal Bill Collapses In House

House Republicans on Friday called off a vote to repeal and replace much of the Affordable Care Act, a dramatic setback after President Donald Trump shut down negotiations and tried to force the legislation ahead.

IP & TECHNOLOGY

USPTO Forms Group To Implement Trump's '1 In, 2 Out' Rule

The U.S. Patent and Trademark Office announced Friday that it has formed a working group to identify regulations that can be eliminated under President Donald Trump's executive order that for every new regulation

Illinois Transportation Trade Association
Intel Corporation
International Business Machines Corporation
Johnson & Johnson
KeyCorp
Lambda Legal Defense & Educational Fund
Lawyers' Committee for Civil Rights Under Law
Lyft Inc.
M&T Bank Corporation
Massachusetts Bay Transportation Authority
Microsoft Corporation
Mobilitie LLC
Motion Picture Association of America
National Association of Broadcasters
National Association of Counties Inc.
National Employment Law Project
National Employment Lawyers Association
Natural Resources Defense Council
Nintendo Co. Ltd.
Northern Trust Corporation
Pacific Legal Foundation
Pfizer Inc.
Pitney Bowes Inc.
Pnc Financial Services Group, The
Public Knowledge
Regions Financial Corporation
Sanofi-Aventis
Sierra Club
Sonoco Products Co.
Southern Poverty Law Center

issued by government agencies, two others must be discarded.

House Bill Would Make Copyright Chief President Appointee

The House of Representatives on Thursday introduced a bipartisan bill that would make the register of copyrights a presidentially appointed position, in a move lawmakers are calling a first step in a broader overhaul intended to bring the office into the digital age by giving it more resources and more independence.

TRANSPORTATION & INFRASTRUCTURE

Calif. Advances Methane, Vehicle Emissions Standards

The California Air Resources Board on Thursday approved several anti-pollution measures including strict new regulations on methane emissions from oil and gas operations, a commitment to increase automobile fuel efficiency, and a plan to reduce short-lived climate pollutants like black carbon.

Chicago Cabbies Take Uber Regs Fight To Supreme Court

Chicago taxi companies Wednesday asked the U.S. Supreme Court to hear their arguments that city regulations covering ride-hailing platforms like Uber and Lyft violate the cab businesses' constitutional rights.

CLASS ACTION

Gay Surviving Spouses Win Fla. Death Certificates Suit

A Florida federal judge has shot down the state's policy of requiring a court order before it will add a surviving same-sex spouse to a death certificate when the death preceded the overturning of Florida's ban on gay marriage.

EMPLOYMENT

Stroz Friedberg LLC
Suntrust Banks Inc.
Svenska Cellulosa AB
T-Mobile USA Inc.
The Cato Corporation
TransCanada Corporation
Turner Broadcasting System Inc.
Twitter Inc.
U.S. Bancorp
U.S. Chamber of Commerce
UBS AG
United Food and Commercial Workers International Union
Verizon Communications
Washington Metropolitan Area Transit Authority
Washington Post Co.
Wells Fargo & Co.
Yahoo! Inc.

GOVERNMENT AGENCIES

Alaska Legislature
California Environmental Protection Agency
Central Command
Central Intelligence Agency
Commodity Futures Trading Commission
Congressional Budget Office
Consumer Financial Protection Bureau
Corporation for National and Community Service
Delaware River Basin Commission
Department of Commerce
Equal Employment Opportunity Commission
European Commission
Executive Office of the President

8th Circ. Rules Cargill's Refusal To Bargain Flouted Labor Law

The Eighth Circuit in a precedential ruling Friday rejected Cargill Inc.'s challenge to the National Labor Relations Board's conclusion that it engaged in an unfair labor practice by refusing to bargain with a union in protest of its certification as the collective bargaining representative of employees at a California plant.

Calif. Judges' Recession Raises 'Absurd,' Appeals Court Told

A California deputy attorney general argued to a state appellate panel that a lower court misinterpreted a state law regarding salary increases for state judicial officers, resulting in the "absurd consequence" of finding them entitled to a pay raise during the state's fiscal crisis.

Ill. Lawmakers Must Be Paid Despite Budget Impasse: Judge

Illinois lawmakers must be paid despite the state's historic budget impasse, a Cook County judge ruled Thursday, reversing course for both current Democratic Comptroller Susana Mendoza and her predecessor, Republican Leslie Munger.

PRIVACY & CONSUMER PROTECTION

EU Lawmakers Declare 'Privacy Shield' Pact Inadequate

A European parliamentary committee on Thursday narrowly approved a resolution that slammed the EU-U.S. Privacy Shield data transfer pact for "key deficiencies" that need to be addressed during an upcoming review of the mechanism, including concerns over the U.S. government's alleged failure to curb sweeping surveillance efforts.

CFPB Gives Mortgage Lenders Flexibility In Fair Lending Law

Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Reserve System
Federal Trade Commission
Florida Department of Health
Food and Drug Administration
Government Accountability Office
Internal Revenue Service
Library of Congress
Michigan Department of Treasury
Michigan Legislature
NAFTA
NATO
National Labor Relations Board
National Oceanic and Atmospheric Administration
National Security Agency
Nebraska Public Service Commission
Occupational Safety and Health Administration
Securities and Exchange Commission
Skokomish Indian Tribe
Smithsonian Institution
Suquamish Tribe
Tohono O'odham Nation
U.S. Army
U.S. Coast Guard
U.S. Copyright Office
U.S. Customs and Border Protection
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice

The Consumer Financial Protection Bureau on Friday proposed a rule change that would give mortgage lenders more flexibility in collecting information about the ethnicity and race of potential borrowers, potentially making it easier for lenders to comply with a key fair lending law.

AEROSPACE & DEFENSE

NATO Commander Wants More Resources To Counter Russia

The four-star U.S. general who heads NATO's military efforts in Europe told Congress on Thursday he needed more resources to help counter Russian aggression and that lawmakers should back Montenegro's efforts to join the alliance.

Manafort Will Talk To Congress On Russia Claims

Paul Manafort, the former campaign manager for President Donald Trump, is willing to discuss his alleged links to Russia with the House Intelligence Committee, Chairman Devin Nunes, R-Calif., said Friday, as the committee's top Democrat slammed Nunes for canceling a hearing regarding Russian interference with the presidential election.

DOD Blasts 'Incoherent' GAO Report On Security Cooperation

The Pentagon is at loggerheads with Congress' favorite watchdog agency over the latter's painstaking "inventory" of U.S. security cooperation programs with foreign governments, saying the new report is "scattershot and incoherent" and belongs in the waste bin in comments made available Friday.

INTERNATIONAL TRADE

Trade Protectionism Has A 'Bloody' History, WTO Boss Warns

World Trade Organization Director-General Roberto Azevedo continued his crusade against the rising tide of trade barriers on Thursday,

U.S. Department of Labor
U.S. Department of State
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Office of Personnel Management
U.S. Patent and Trademark Office
U.S. Senate
U.S. Supreme Court
United Nations
Virginia Department of Transportation

warning that the "bloody" history of protectionism could rear its head once again if major economies abandon the multilateral trading system.

TAX

Ala. Gov. Signs Remote Vendor Sales Tax Reporting Bill

Alabama Republican Gov. Robert Bentley on Wednesday signed into law legislation requiring out-of-state sellers to report their sales to the state Department of Revenue and notify customers of their resulting tax obligations.

IBM Urges Justices To Review Michigan's Exit From Tax Deal

IBM on Friday slammed the Michigan Department of Treasury's claim that its backdated withdrawal from a multistate tax deal was not retroactive but rather a clarification of existing law, saying in a brief to the U.S. Supreme Court that the Michigan Legislature explicitly acknowledged it was acting retroactively when it repealed the deal.

Tax Court Upholds IRS Reg Against Nursing Home's Challenge

A U.S. Tax Court judge upheld an IRS distinction between individual and corporate taxpayers experiencing economic hardship in a Thursday ruling, rebuffing an oft-noncompliant Oklahoma nursing home seeking relief by challenging the rule as illegal.

INTERNATIONAL ARBITRATION

New Int'l Arbitration Regime Takes Effect In Ontario

The Government of Ontario has enacted legislation to adopt a new international arbitration law, including explicit recognition of the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

IMMIGRATION

State Dept. Seeks More Scrutiny For Some Visa Applicants

The U.S. Department of State has instructed consular posts abroad to increase scrutiny for some visa applicants, according to a cable posted by the American Immigration Lawyers Association, implementing a memo that President Donald Trump signed along with his revised travel ban executive order.

Shiite Org, Yemeni Parents File Latest Travel Ban Challenge

The U.S. arm of a Shiite Muslim organization and a Yemeni husband and wife were the latest to challenge President Donald Trump's revised executive order banning people from six Muslim-majority countries from entering the United States, alleging Friday that the order is outright religious discrimination:

NATIVE AMERICAN

Wash. Tribe's Suit Contesting Hunting Grounds Gets Tossed

A Washington federal judge on Thursday tossed the Skokomish Indian Tribe's suit accusing members of the Suquamish Tribal Council and that tribe's fisheries director of encroaching on its hunting grounds, after finding that there are crucial parties that cannot be added to the dispute.

TELECOMMUNICATIONS

FCC Warned 5G Preemption Could Cost Localities 'Billions'

The National League of Cities, the United States Conference of Mayors and other organizations asked the Federal Communications Commission on Thursday to allow more time for comments on a request that it overrule local barriers to deploying fifth-generation wireless infrastructure, saying that

the issue is complex and could cost local governments billions of dollars annually.

EXPERT ANALYSIS

Trump's Skinny EPA Budget Could Have Far-Reaching Impacts

A review of President Donald Trump's recent budget proposal suggests that none of his goals for the U.S. Environmental Protection Agency would be well-served. In fact, the EPA, states, tribes and other federal agencies would all face serious issues in protecting human health and the environment, says Jim Rubin of Dorsey & Whitney LLP.

Limiting Presidential Powers At The High Court

The U.S. Supreme Court's recent ruling in National Labor Relations Board v. SW General certainly has the potential to genuinely impact the Trump administration. However, the real consequences of the court's ruling to employers, unions and others with business before the board may become apparent after NLRB general counsel Richard Griffin's four-year term expires in November, say Steven Swirsky and Laura Monaco of Epstein Becker & Green PC.

A Straightforward Insider Trading Statute Is Overdue

As Judge Jed Rakoff observed in a recent speech, it would benefit prosecutors, the courts and investors to have a clearly drafted statute setting forth, to the most specific degree possible, exactly what about insider trading is illegal, and why, say Jason Gottlieb and Daniel Isaacs of Morrison Cohen LLP.

Understanding Defense Strategies For 505(b)(2) Drugs

Manufacturers of new drugs submitted for approval to the U.S. Food and Drug Administration under 505(b)(2) face different challenges than innovators or generic

manufacturers. These manufacturers also have access to unique fact-based defenses, so they should closely review allegations setting out the type and dates information that plaintiffs argue should have led to a stronger warning, say Terry Henry and Ann Querns of Blank Rome LLP.

In Congress: Light Floor Schedule, Heavy On Committees

Republican leadership in the House and Senate will need to refocus their efforts this week, after a failed attempt to repeal and replace the Affordable Care Act. The lead-up to the canceled vote last week highlighted the divisions within the Republican conference, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP.

LEGAL INDUSTRY

News Analysis

Gorsuch Sets New Standard For Evasive High Court Nominees

Although all modern-day Supreme Court nominees have been famously reticent when facing the Senate, Judge Neil Gorsuch may have taken such evasiveness to a new level in his confirmation hearings.

Feature

How Cybercriminals Are Breaching BigLaw's Defenses

Lawyers have long been the target of sophisticated hackers who see them as soft and lucrative targets. But are legal industry safeguards keeping pace with the deep dark web?

New Lawyers Must Embrace Emerging Tech, Paper Says

An influx of new and emerging technologies means a number of legal industry changes and the possible elimination of legal work in certain areas, creating a need to educate up-and-coming law students on how to capitalize on these shifts, a new paper released on Thursday said.

GC Cheat Sheet: The Hottest Corporate News Of The Week

Most law firms say clients refuse to pay up for research costs, the U.S. Supreme Court rejects laches as a defense in patent cases, and Amazon gets a big win in its \$1.5 billion tax dispute over European licensing payments. Those stories top the corporate legal news you may have missed last week.

Campaign Lies Show Need To End Judge Elections, Prof Says

Attempts by states to shut down campaign lies by judicial candidates are likely unconstitutional and ultimately fruitless, a Florida law professor argued in a recently released paper, raising the question of whether popular elections should be eliminated altogether in order to enforce honesty.

Dewey Staffer Says She Didn't Think She Committed Crimes

A former Dewey & LeBoeuf LLP finance staffer told a Manhattan federal jury Friday she did not think she was committing a crime by making improper accounting entries into the law firm's books, and confirmed that former Executive Director Stephen DiCarmino never told her to do anything inappropriate.

6th Circ. Says Award Can Stand In Law Firm Partnership Row

The Sixth Circuit on Friday sided with three members of a now-dissolved law firm in a dispute over a fourth member's share in the partnership during retirement, finding an Ohio

federal court was right to allow an arbitrator to resolve the disagreement, and that her rulings were proper.

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

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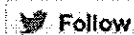
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From: Public Policy Law360
Sent: Wednesday, March 29, 2017 4:34 AM
To: Rep93
Subject: Trump Energy Order Creates Tough Choices For Agencies



Wednesday, March 29, 2017



TOP NEWS

Analysis

Trump Energy Order Creates Tough Choices For Agencies

President Donald Trump ordered his administration Tuesday to review and possibly rescind several Obama-era energy rules and policies, some of which are already embroiled in litigation, but exactly how Trump's agencies will go about carrying out the anticipated rollback remains unclear.

Senate Set For Gorsuch Showdown Next Week

U.S. Senate leaders have vowed a showdown over the nomination of Tenth Circuit Judge Neil Gorsuch next week, promising a fight on Tuesday over President Donald Trump's choice to fill the late Justice Antonin Scalia's seat on the U.S. Supreme Court.

House Votes To Repeal FCC Privacy Rules

Congress has now voted to repeal Federal Communication Commission broadband privacy rules after a House vote Tuesday sent the controversial provision to President Donald Trump's desk.

LAW FIRMS

Akerman
Akin Gump
Alston & Bird
Arnold & Porter Kaye Scholer
Audet & Partners
Baker Botts
Cuneo Gilbert
Dentons
Dewey & LeBoeuf
Earthjustice
Goodwin
Greenberg Traurig
Holland & Hart
Kennerly Loutey
Kennyhertz Perry
Levine Kellogg
Levine Sullivan
Littler Mendelson
McGuireWoods
Morgan Lewis
Nossaman LLP
Ogletree Deakins
Orrick Herrington
Proskauer Rose
Seward & Kissel

Speaker Ryan Hints At Continued Action On Health Reform

Efforts to repeal the Affordable Care Act have not been taken out to pasture yet, Republican House Speaker Paul Ryan said on Tuesday, hinting that his caucus might bring forward new reform proposals in the future, days after he pulled a planned floor vote over defections within the Republican Party.

Senate Democrats Want Answers On Bharara's Firing

Senate Democrats Elizabeth Warren, Richard Blumenthal and Jeff Merkley on Tuesday demanded answers from Attorney General Jeff Sessions about why Preet Bharara was fired from his position as U.S. attorney for the Southern District of New York, especially given reports that he was investigating HHS Secretary Tom Price's stock trades.

Trump Signs Order Targeting Obama's Climate Legacy

President Donald Trump signed a sweeping executive order on Tuesday that directed the U.S. Environmental Protection Agency to start rolling back the Clean Power Plan, lifted the Obama administration's moratorium on coal leasing on federal lands and told the Department of the Interior to consider rescinding its rule regulating hydraulic fracturing on public and tribal lands.

Analysis

Future Rollbacks May Not Be As Easy As Blacklisting Repeal

President Donald Trump's repeal of the contentious Fair Pay and Safe Workplaces rule is welcome news for federal contractors, but despite the president's promises to repeal burdensome regulations, it remains uncertain when or if he will be able to roll back more rules affecting contractors.

GCs Ask Congress To Fund Legal Services Despite Trump Cut

Skadden
Tor Hoerman
Troutman Sanders
VLP Law Group
Venable LLP
Wiley Rein
Woodruff Spradlin
Zeldes Haeggquist

COMPANIES

AT&T Inc.
Adidas AG
Airbnb Inc.
American Bar Association
American Civil Liberties Union
American Express Company
Amgen Inc.
Apple Inc.
Asian American Center for Advancing Justice
Association of Corporate Counsel
Biogen Inc.
Bristol-Myers Squibb Company
BuzzFeed Inc.
Center for Biological Diversity Inc.
CenturyLink Inc.
Comcast Corporation
Corporation for Public Broadcasting
Cox Communications Inc.
Eli Lilly and Company
Ernst & Young
Fidelity Investments
Financial Industry Regulatory Authority Inc.
Google Inc.
Hewlett Packard Enterprise Co.
International Business Machines Corporation
McKesson Corporation

In the face of a proposal by President Donald Trump to fully eliminate federal funding for the the Legal Services Corp., general counsel from more than 180 major companies including Google, Adidas and Starbucks Corp. on Tuesday urged Congress to fully support the organization in the upcoming fiscal year.

BANKING & SECURITIES

Feds Flunk Wells Fargo On Community Lending Exam

A federal banking regulator flunked Wells Fargo & Co. on a review of its lending to minority and lower income communities, citing the bank's fake account scandal and other enforcement actions, the bank announced Tuesday.

MSRB Ad Rule Proposals Take Heat From Some Muni Advisers

The Municipal Securities Rulemaking Board's proposals to update advertising rules to apply to municipal advisers and dovetail with a FINRA rule have received mixed responses, with some advisers saying their services to local bond issuers are treated too much like the products sold by broker-dealers.

Stock Promoter Can't Sue To Stop SEC Action, Judge Says

A Kansas federal judge tossed a lawsuit to halt a U.S. Securities and Exchange Commission administrative proceeding against a stock promoter, saying Tuesday that the Tenth Circuit had vacated agency sanctions in a separate case under different circumstances.

ENERGY & ENVIRONMENTAL

Maryland Poised To Indefinitely Ban Fracking

Maryland state lawmakers on Monday approved legislation that would indefinitely ban hydraulic fracturing in the state, a bill that has the support of Gov. Larry Hogan and that, if signed, would

Medtronic Inc.
Microsoft Corporation
National Association of Home Builders
National Cattlemen's Beef Association
National Employment Law Project
National Federation of Independent Business
National Wildlife Federation
Netflix Inc.
New England Compounding Pharmacy Inc.
North American Meat Institute
Orange County Transportation Authority
Penn National Gaming Inc.
Pfizer Inc.
Rockland Capital LLC
Ryan LLC
SIFMA
Sierra Club
Starbucks Corporation
Symantec Corporation
TransAm Trucking Inc.
Twitter Inc.
U.S. Meat Export Federation
U.S. Pharmacopeial Convention
United Auto Workers
Verizon Communications
Volkswagen
Wells Fargo & Co.
Zeughauser Group LLC
eBay Inc.

GOVERNMENT AGENCIES

Army Corps of Engineers
Bureau of Reclamation
Centers for Disease Control and Prevention

represent the first state legislative ban of the controversial drilling technique.

Pa. Justices Won't Revive Citizens' Bid For Enviro Study

The Pennsylvania Supreme Court on Tuesday batted down an appeal from a group of state residents seeking a court order requiring the governor's office and several state regulators to conduct studies and develop plans to reduce greenhouse gases, upholding a lower court's decision that the petitioners do not have a clear right to have these requests satisfied.

Judge Denies FWS Bid To Shut Down Coastal Marten ESA Suit

A California federal judge on Tuesday denied a bid by the U.S. Fish and Wildlife Service to toss allegations that it made an unreasonable decision in not extending Endangered Species Act protection to the coastal marten, agreeing with the Center for Biological Diversity that the agency erroneously concluded that the animal's population was "robust."

Feds Ordered To Release More Water For Vulnerable Fish

An Oregon federal judge ruled Monday that, beginning in the spring of 2018, the U.S. government must boost water releases over spillways at a series of eight dams along the Columbia and Snake rivers in an effort to increase the survival of threatened salmon and steelhead that migrate up and down the waterways.

NJ Official Sues Online Critics Over Pipeline Vote Bashing

A New Jersey Pinelands Commission member has brought a defamation suit in New Jersey state court against 14 people over online criticism of her vote to approve South Jersey Gas' contentious proposal for a pipeline in an environmentally sensitive region, saying the remarks have damaged her livelihood as a realtor.

Congressional Budget Office
Consumer Financial Protection Bureau
Council on Environmental Quality
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Bureau of Investigation
Federal Communications Commission
Federal Housing Administration
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Florida House of Representatives
Food and Drug Administration
Government Accountability Office
Internal Revenue Service
Iowa Legislature
Legal Services Corp.
Municipal Securities Rulemaking Board
National Labor Relations Board
National Marine Fisheries Service
New York Attorney General's Office
Nez Perce Tribe
Office of the Comptroller of the Currency
Pennsylvania Department of Environmental Protection
Pennsylvania Public Utility Commission
Pennsylvania Supreme Court
Securities and Exchange Commission
U.S. Army
U.S. Department of Defense
U.S. Department of Energy

MEDIA & ENTERTAINMENT

Pennsylvania Lawmakers Push For Video Gambling Expansion

A bipartisan group of lawmakers from both houses of the Pennsylvania Legislature on Monday announced plans for a major push to expand gambling in the state, including video gambling at retail establishments, bars and restaurants.

Cute Kitten Bolsters Brief In Buzzfeed Defamation Row

Buzzfeed Inc. can't suddenly plead ignorance of where Florida is just to avoid facing a lawsuit, a Russian technology executive argued in a filing that employed clickbait-worthy tactics, including BuzzFeed-like lists and a photograph of a kitten, as part of his bid to keep his defamation suit against the company in the Sunshine State.

TRANSPORTATION & INFRASTRUCTURE

Calif. Toll Operators Defend System As Constitutional

The operators of the 91 Express Lanes in Orange County, California, told a federal judge Monday that they're well within their authority to use driver information to collect unpaid tolls, slamming a proposed class of motorists who allege their privacy is being violated and that the tolls are unconstitutional.

Auto Union Urges DC Circ. To Uphold VW Unit Ruling

A United Auto Workers local urged the D.C. Circuit on Monday to back the National Labor Relations Board's approval of a micro-unit of maintenance workers at Volkswagen's Tennessee plant, saying the unit met the labor board's standard to qualify for collective bargaining.

AEROSPACE & DEFENSE

U.S. Department of Health and Human Services

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. General Services Administration

U.S. Senate

U.S. Supreme Court

DOJ Terrorism Monitoring Program Upheld By Calif. Judge

The U.S. Department of Justice crossed the right T's in establishing a lower-than-"reasonable suspicion" standard under which local law enforcement submits reports of potential terrorist activity, a California federal judge said Monday in tossing a lawsuit challenging the collection program as profiling.

REAL ESTATE

Bill Barring Restrictions On Airbnb Advances In Fla. House

A Florida House subcommittee voted Tuesday to approve a bill that bars cities and counties from passing new ordinances restricting short-term rentals, setting up a showdown between Tallahassee and Miami, where local governments have launched an attack on Airbnb and similar short-term rental platforms.

EMPLOYMENT

Iowa Senate OKs Rollback Of Local Minimum Wage Increases

The Iowa Senate on Monday approved legislation that would freeze the state's minimum wage at the federal rate of \$7.25 per hour and retroactively invalidate any local laws mandating an hourly rate that exceeds the state standard.

COMPETITION

FTC To Counter State Special Interests, Ohlhausen Says

The U.S. Federal Trade Commission will advocate on a state level to oppose special-interest groups seeking to impose onerous job licensing requirements and other regulations that limit competition, FTC Acting Chair Maureen K. Ohlhausen said Tuesday.

PRIVACY & CONSUMER PROTECTION

Analysis

NY's 'Right To Be Forgotten' Bill Needs Narrower Focus

New York lawmakers are weighing novel legislation that would force online publishers such as Google to delete information flagged as inaccurate or irrelevant. But the bill's failure to account for First Amendment rights makes it unlikely that the sweeping proposal will go very far, attorneys say.

INTERNATIONAL TRADE

Meat Industry Wants Trump To Break Chinese Beef Block

Major U.S. meat industry groups on Tuesday urged President Donald Trump to press China to move forward on its plan to lift its decade-plus mad cow disease-based ban on U.S. beef, arguing that domestic companies are missing out on a billion-dollar market.

TAX

Insurers Say Reporting Rules Taint Them As Tax Scammers

The Internal Revenue Service was hit with a lawsuit on Monday over a notice it issued in November identifying potential tax-avoidance maneuvers involving in-house insurers, with two managers of such companies accusing the agency of unfairly tainting them as tax scammers.

IRS Seeks Comment Again On New Accounting Standards

The Internal Revenue Service on Tuesday issued a request for comments on proposed procedures to allow taxpayers to change financial accounting methods under new international standards for recognizing revenues and the impact of those changes on

differences between financial accounting and tax accounting rules.

US Cos. Avoiding More Than \$700B In Taxes, Report Says

Fortune 500 companies are holding \$2.6 trillion in profits offshore largely in tax havens, avoiding as much as \$767 billion in U.S. corporate income tax, according to a report from the Institute on Taxation and Economic Policy released Tuesday.

IMMIGRATION

Miss. Gov. Signs Anti-Sanctuary City Measure

Mississippi Gov. Phil Bryant on Monday signed a bill targeting so-called sanctuary cities and other locales and public institutions that choose not to cooperate with federal agents on checking individuals' immigration status.

House Panel Hears From Sanctuary City Opponents

A House subcommittee on Tuesday listened to witnesses opposed to the policies of so-called sanctuary cities whose local law enforcement agencies don't cooperate with federal immigration authorities, hearing testimony urging Congress to crack down on those jurisdictions.

TELECOMMUNICATIONS

FCC To Provide Funds To Bring 4G LTE To Rural Areas

The Federal Communications Commission moved forward Tuesday with a second phase of funding that allocates up to \$4.53 billion over the next decade to provide cell phone and internet services to areas without them.

Dem Lawmakers Urge FCC Action On Cellphone Cybersecurity

Sen. Ron Wyden, D-Ore., and Rep. Ted Lieu, D-Calif., in a letter on Tuesday asked the

Federal Communications Commission to move quickly to take on "fundamental security threats" to cellphones, saying that self-regulation by the industry isn't working and the vulnerabilities are clear.

Trade Group Warns FCC Of Special Access Market Power

A competitive networks trade group has asked the Federal Communications Commission to recognize the power of older providers in the market for business data services, also pushing the agency to seek feedback if it intends to change course from earlier findings, according to a filing posted publicly Tuesday.

PEOPLE

Greenberg Traurig Lures Enviro Pro From Holland & Hart

Greenberg Traurig LLP said Monday it has bolstered its government and environmental practices by picking up an experienced environmental policy lawyer and former U.S. Department of the Interior special assistant to the solicitor from Holland & Hart LLP.

EXPERT ANALYSIS

'Blacklisting' Rule Rejection May Begin Pro-Employer Trend

On Monday, President Donald Trump signed a congressional resolution blocking implementation of President Obama's Fair Pay and Safe Workplaces executive order. This may be an initial step toward dismantling many employment-related requirements that the Obama administration placed on federal contractors, and may indicate the Trump administration's overall direction on employment issues, say Brett Coburn and Anna Saraie of Alston & Bird LLP.

Judge Gorsuch's Dubious Commitment To Legal Textualism

In practice, being an “originalist” or a “textualist” is a lot like being “gluten-free” except when it comes to pasta and bagels. Most “textualists” are happy to apply these concepts rigorously when it will produce the result they want — but they’ll relax or ignore them if it produces a politically inconvenient outcome. Judge Neil Gorsuch seems to fit this profile, says Max Kennerly of Kennerly Loutey LLC.

What New Bulk Substance Rules Mean For The Drug Industry

The U.S. Food and Drug Administration has recently included six bulk drug substances on the 503A bulks list, which allows drug compounders to bypass certain regulations for some drugs. Though progress is welcome, some pharmacists are expressing frustration over how long it is taking the FDA to finalize its guidance, says Keith Hasson of Hasson Law Group.

LEGAL INDUSTRY

Analysis

How To Get A Foothold In The NY Legal Market

The classic song “New York, New York” proclaims, “If I can make it there, I’ll make it anywhere,” and many law firms have taken that mantra to heart as they attempt to gain traction in the brutally competitive New York legal market. Here, firms that have made it in the Big Apple offer tips to those still seeking their big break.

Analysis

What GCs Can Learn From Legal Operations Pros

It’s the job of legal operations directors to ensure the law department runs at peak efficiency and effectiveness, so it’s no surprise that they’re full of wisdom about how in-house teams can improve. Here are three legal operations professionals’ top tips.

Dewey Cooperator Says He Never Told CFO Of Fraud

The former controller for Dewey & LeBoeuf LLP on Tuesday told a Manhattan jury that he never told former Dewey Chief Financial Officer Joel Sanders that the law firm wasn't in compliance with its lending agreements, as the retrial of Sanders and former Dewey Executive Director Stephen DiCarmino neared the two-month mark.

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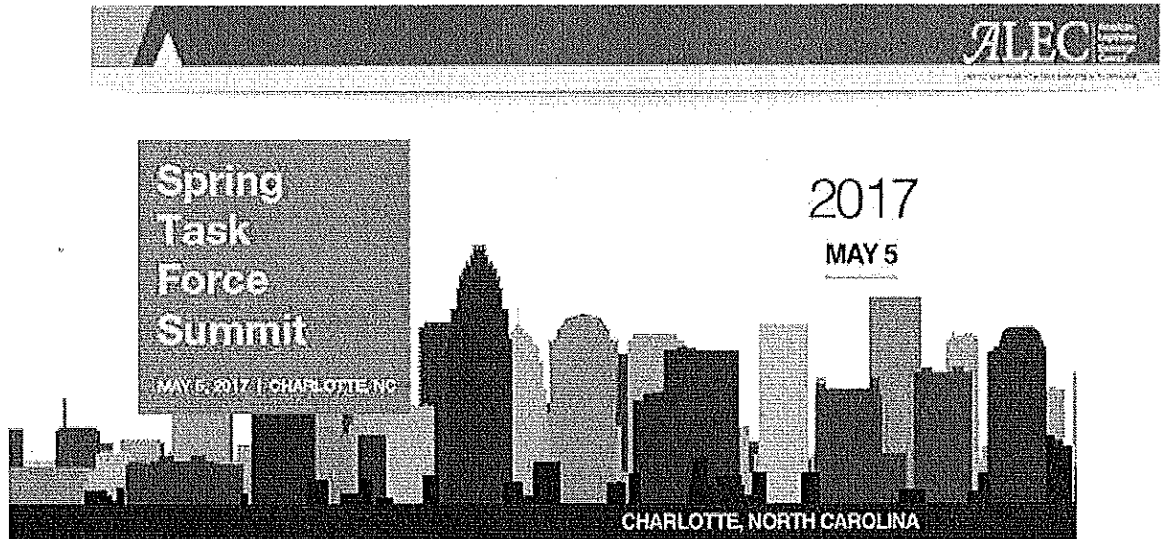
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Subject: Don't Wait Till It's Too Late!



Join us in Charlotte on May 5 for the
ALEC Spring Task Force Summit!
Early Bird Registration Ends APRIL 4!

Policy Spotlight -



Education and Workforce Development Task Force

Join the Education and Workforce Development Task Force as we host sub-committee meetings on Higher Education, Workforce Development and our Joint Education-Tax Subcommittee. We will be continuing our work on education choice, accountability, and free speech on campus. Given the current and ongoing debate regarding free speech on campus you won't want to miss the discussion!

Inez Feltscher Stepman

Director, Education and Workforce Development Task Force

ALEC Legislative Members - Take Advantage of our ALEC CARE Training!

Want to know what some ALEC Legislative members consider one of the most valuable benefits of membership?

Come see a constituent relationship management system that will transform the way you interact with your constituents. Better yet, it's free as a member benefit.

ALEC will host demonstrations Thursday, May 4 through Saturday, May 6 in Charlotte. [RSVP to Ashley Varner.](#)

[See more events on our agenda...](#)



Don't miss your chance to save! One week left
for Early Bird registration.
Ends on April 4

Guarantee your spot today at the host hotel!
Take advantage of the ALEC discounted rate
of \$189 until April 11.

[Book now!](#)

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CHARLOTTE

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Annual Meeting registration opens April 3!



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Thursday, March 30, 2017



TOP NEWS

More Democrats Rally To Gorsuch Filibuster Effort

Senate Democrats pushed further to block of the Tenth Circuit Judge Neil Gorsuch's nomination to the U.S. Supreme Court on Wednesday, as more than half of their colleagues have said they would oppose his confirmation.

Justices Set Tough Standard For State Credit Card Fee Laws

A Wednesday U.S. Supreme Court ruling that a New York law restricting credit card fee disclosures regulated retailers' speech puts similar statutes around the country on shaky ground.

Gov't Funding Bill Likely To Exclude \$33B For Defense, Wall

Congressional leaders are moving ahead with a fiscal year 2017 funding bill that is likely to exclude the White House's \$33 billion supplemental request intended for defense spending and to help build President Donald Trump's touted southern border wall project, a senior Republican lawmaker said Tuesday.

Sens. Provide Update On Russia Probe As Nunes Stands Firm

LAW FIRMS

Akin Gump
Arnold & Porter Kaye Scholer
Baker Donelson
Ballard Spahr
Barnes & Thornburg
Beytin McLaughlin
Blank Rome
Boies Schiller
Bowman and Brooke
Carter Ledyard
Cozen O'Connor
Crowell & Moring
Dinsmore & Shohl
Earthjustice
Epstein Becker Green
Fisher Phillips
Foley Hoag
Gibson Dunn
Grunfeld Desiderio
Gupta Wessler
Hadsell Stormer
Hogan Lovells
Holland & Knight
Jenner & Block
Labaton Sucharow

Senate Intelligence Committee leaders sought to underscore the seriousness of their probe into Russian interference with the 2016 presidential election on Wednesday, as House Intelligence Committee Chairman Devin Nunes, R-Calif., pinned the blame on Democrats for difficulties with his own committee's investigation, rebuffing calls to step down.

Lifting Of Federal Coal Moratorium Sparks Legal Fight

Interior Secretary Ryan Zinke on Wednesday formally lifted the moratorium on the federal coal leasing program imposed last year, prompting an immediate legal challenge from environmental groups and the Northern Cheyenne Tribe.

Fla. House Narrowly Passes Judicial Term Limits Bill

The Florida House of Representatives narrowly passed a bill Wednesday that would place an amendment on the ballot next year to limit state appellate and Supreme Court judges to two six-year terms.

High Court Says NY Credit Card Disclosures Regulate Speech

The U.S. Supreme Court on Wednesday asked a federal appellate court to determine whether a New York law that restricts the disclosures retailers can make to customers about credit card surcharges violated retailers' First Amendment rights, vacating the lower court's ruling that upheld the law.

FCC's Pai Seeks Internet Without 'Heavy-Handed' Regs

Federal Communications Commission Chairman Ajit Pai doubled down Wednesday on his theme of a new "light touch" approach that promotes investment at the FCC, advocating for an internet freer from "heavy-handed" regulation in a speech that also touted new telecom cooperation between India and the U.S.

Latham & Watkins
Lawyers' Committee for Civil Rights

Long & Levit
Morgan Lewis
Polsinelli
Quarles & Brady
Quinn Emanuel
Sedgwick LLP
Shearman & Sterling
Spiegel & McDiarmid
Squire Patton Boggs
Sullivan & Cromwell
Womble Carlyle

COMPANIES

AT&T Inc.
Aetna Inc.
American Bar Association
American Civil Liberties Union
Associated Press
Association of Corporate Counsel
Barrick Gold Corporation
Bayer AG
CIGNA Corporation
Center for Biological Diversity Inc.
Dynegey Inc.
Entergy Corporation
Exelon Corporation
Financial Services Roundtable
Geico
GlaxoSmithKline
Humana Inc.
LawVision Group LLC
Lawyers' Committee for Civil Rights Under Law
NFL Enterprises LLC
NRG Energy Inc.
Oakland Raiders

GWB Scandal Figures Get Prison Terms For 'Abuse Of Power'

Two former public officials convicted in the George Washington Bridge lane-closing scandal were slapped with prison terms Wednesday for what a New Jersey federal judge called "Can outrageous display of abuse of power" driven by a culture in the state Capitol where political opponents faced retribution.

BANKING & SECURITIES

Dems Say Piwowar Overstepping Authority At SEC

Four Democratic senators asked the U.S. Securities and Exchange Commission's inspector general on Wednesday to investigate Acting Chair Michael Piwowar's latest actions, suggesting Piwowar may be undermining the agency's mission and exceeding his authority by directing policy changes.

ENERGY & ENVIRONMENTAL

EPA Asks DC Circ. To Put Off Ruling On Clean Power Plan

The U.S. Environmental Protection Agency on Tuesday asked the D.C. Circuit to hold off on issuing an opinion on the validity of the Clean Power Plan, following President Donald Trump's signing of an executive order directing the EPA to review the rule.

Pa. Appeals Court Limits Reach Of Gas Law's Well Fee

A Pennsylvania appeals court issued a published decision on Wednesday finding that wells that fall below a natural gas production threshold for one month out of the year can skirt paying annual impact fees assessed under state law to compensate local governments for drilling-related activities.

NY State Seeks To Quash Bid To Ax Nuke Plant Subsidies

PPL Corporation
Philadelphia Entertainment & Development Partners
SIFMA
Service Employees International Union
Sierra Club
Talen Energy Corp.
Twitter Inc.
U.S. Chamber of Commerce
United Auto Workers
Verizon Communications
Wal-Mart Stores Inc.
Washington Post Co.
Yahoo! Inc.

GOVERNMENT AGENCIES

Antitrust Modernization Commission
Arizona Attorney General's Office
Bureau of Land Management
Department of Commerce
Enterprise Rancheria of Maidu Indians
Equal Employment Opportunity Commission
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Trade Commission
Fish and Wildlife Service
Florida House of Representatives
Florida State Senate
Government Accountability Office
Library of Congress
Muckleshoot Indian Tribe

An attorney for New York state utility regulators on Wednesday urged a federal judge in Manhattan to reject challenges to the Empire State's plan to subsidize three struggling nuclear power plants as part of a clean-energy strategy, drawing a distinction between the plan and Maryland energy subsidies, which the U.S. Supreme Court invalidated last year.

Green Groups Say No Proof Nuke Plants Are Zero-Emission

Green groups on Tuesday told a federal judge the conclusion that nuclear power produces zero emissions when generating electricity asserted in New York's plan to subsidize three struggling nuclear power plants is flawed, saying there is no evidence supporting such an assertion.

Enviros Lose Bid To Nix NJ Permit For Road Over Park Trail

A permit granted to build a bypass road over a current park trail in Ocean County was proper, a New Jersey appeals court ruled Wednesday, finding the state's Department of Environmental Protection did not violate any regulations in granting the permit after denying earlier proposals from the township.

10th Circ. Says Congress Can Regulate Prairie Dog Hunting

The Tenth Circuit on Wednesday ruled that the U.S. Fish and Wildlife Service, by way of Congress, has the right to prohibit Utah prairie dog hunting on nonfederal land in the state, reversing a lower court ruling that favored a challenge to the regulation from a property-owner rights group.

HEALTH & LIFE SCIENCES

OIG Inquiry Sends Message To Trump On Undermining ACA

An Office of Inspector General inquiry into the Trump administration's elimination of Affordable Care Act advertising underscores the political

NATO

National Aeronautics and Space Administration

National Economic Council

National Labor Relations Board

New Jersey Attorney General's Office

New Jersey Department of Environmental Protection

New York Attorney General's Office

New York State Department of Financial Services

North Fork Rancheria of Mono Indians

Northern Cheyenne Tribe

Office of the U.S. Trade Representative

Pennsylvania Public Utility Commission

Pennsylvania Supreme Court

Port Authority of New York & New Jersey

Securities and Exchange Commission

U.S. Copyright Office

U.S. Department of Defense

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Immigration and Customs Enforcement

U.S. Senate

risks of not steadfastly implementing the law, experts say.

IP & TECHNOLOGY

Copyright Chief Appointee Bill Clears House Hurdle

The House Judiciary Committee voted 27-1 on Wednesday to approve a bipartisan bill that would make the Register of Copyrights a presidentially appointed position, a step toward a broader initiative of modernizing the U.S. Copyright Office.

MEDIA & ENTERTAINMENT

NFL Still Wary Of Sports Betting Despite Raiders' Vegas Move

NFL Commissioner Roger Goodell said Tuesday that the Oakland Raiders' move to the gambling and sports betting mecca Las Vegas will not change the league's anti-gambling and anti-sports-betting policies, though he acknowledged that attitudes are changing toward gambling.

TRANSPORTATION & INFRASTRUCTURE

UAW Tells Sens. To Vote 'No' On Gorsuch For Supreme Court

The president of the United Automobile, Aerospace and Agricultural Implement Workers of America on Wednesday announced he has sent a letter to the U.S. Senate expressing strong opposition to Tenth Circuit Judge Neil Gorsuch's nomination to the U.S. Supreme Court, urging lawmakers to vote no on the nomination.

HOSPITALITY

Foxwoods Developer Loses Appeal Over \$50M Pa. Casino Fee

U.S. Supreme Court
United Auburn Indian Community
United Nations

A Pennsylvania federal judge on Tuesday affirmed a bankruptcy judge's ruling that nixed a bid by the bankrupt developer of a failed Foxwoods casino project in Philadelphia to recoup a \$50 million casino licensing fee paid to the state.

EMPLOYMENT

W.Va. Gov Vetoes Troubled Right-To-Work Law Amendments

West Virginia Gov. Jim Justice vetoed a bill on Tuesday aimed at updating the state's right-to-work law that was put on hold by the state's courts, saying that the legal process should be allowed to play out and that the Legislature should focus on West Virginia's budget.

Law Bars Miami Beach Minimum Wage Hike, Judge Says

Miami Beach's proposed minimum wage increase was blocked Tuesday by a Florida state judge who determined that it violated a state law prohibiting municipalities from creating wage floors that buck the statewide rate.

DOL Fights Request To Halt Fiduciary Rule At 5th Circ.

The U.S. Department of Labor on Wednesday urged the Fifth Circuit not to halt its fiduciary rule for retirement account advisers while the U.S. Chamber of Commerce and other groups attempt to revive their challenge of the rule, saying the "extraordinary relief" is not warranted.

COMPETITION

Major Antitrust, Merger Changes Coming To Chile, Argentina

Argentina and Chile are poised to enact or implement major changes to competition policy to modernize antitrust and merger enforcement in their jurisdictions and bring them in line with countries such as Brazil and Mexico that have adopted similar reforms in recent years,

Argentine and Chilean officials said Wednesday.

LEGAL ETHICS

NYC Says Legal Defense Fund Contributions Are Gifts

Contributions to legal defense funds established by New York City public servants to offset legal costs must be considered gifts and are subject to applicable gift restrictions, according to an advisory opinion released Wednesday by the city Conflicts of Interest Board.

INSURANCE

Pa. Justices To Mull If Insurance Chief Bound By Dept. Report

The Pennsylvania Supreme Court agreed to review a ruling which found that the state's insurance commissioner was not bound to follow the recommendation of an investigation in a matter involving an insurer's decision to not renew coverage for a homeowner.

PRIVACY & CONSUMER PROTECTION

Analysis

5 Ways IPO Prospects Can Boost Cybersecurity Readiness

Cyberattacks are a big enough headache for a private company, but the risks take on new meaning for a company considering going public, where they will face far more regulatory scrutiny and risk investor backlash should their sensitive data be breached. Here are five ways IPO prospects can boost their cybersecurity readiness before catching the public's eye.

PRODUCT LIABILITY

Fla. Bill Could Increase Personal Injury Damages Awards

A bill that would expand prejudgment interest for prevailing plaintiffs mandatory in all civil suits, including personal injury and wrongful

death claims, passed favorably out of a Florida Senate committee Wednesday.

GOVERNMENT CONTRACTS

Senators Demand GAO Probe Of Work Relief Programs

Two senators on Tuesday asked the U.S. Government Accountability Office for a full evaluation of government work relief initiatives, including the often-maligned fleet of Trade Adjustment Assistance Programs.

El Salvador Wins Post-Award Interest On \$8M Costs Award

An International Centre for the Settlement of Investment Disputes tribunal agreed Tuesday to supplement its award dismissing an OceanaGold Corp. subsidiary's claim against El Salvador over a stymied gold mining project to include post-award interest on an \$8 million costs award.

AEROSPACE & DEFENSE

Senate Approves Treaty For Montenegro To Join NATO

The U.S. Senate late on Tuesday approved a treaty allowing Montenegro to join NATO, one day after lawmakers voted overwhelmingly to move toward final passage of the deal, which offers formal U.S. support for the Balkan state to join the military alliance as its 29th member.

INTERNATIONAL TRADE

Analysis

NTC's Role Becomes Clearer, And The Trade Bar Isn't Happy

Attorneys recently learned more about the precise role of the newly created White House National Trade Council after its director Peter Navarro attempted to put his thumb on the scale of a closely watched anti-dumping duty

review, a move that has put some on the trade bar on high alert.

TAX

Ways & Means Head Considers Changes To Border Tax Plan

House Republicans may be bending to political pressure over their most controversial proposal to revamp tax laws, with the leader of the chief tax-writing committee in the House of Representatives saying Wednesday that he is "contemplating significant modifications" to the border-adjusted tax plan.

IMMIGRATION

Immigration Bill Roundup: Changes Proposed For Work Visas

Members of the 115th Congress took action on immigration-related bills in recent days that included measures to circumvent annual caps on H-2B visas and to bar employers from shifting jobs overseas as part of the H-1B visa program.

Vt. Gov. Signs Bill To Limit Local Cooperation On Immigration

Vermont Gov. Phil Scott on Tuesday signed into law a bill to limit how local law enforcement may cooperate with federal agents on immigration matters while still complying with related federal laws.

Feds Fight Travel Ban Suit Over Updated Executive Order

The federal government urged a D.C. federal court Tuesday to reject a bid made by several Iranian groups to block President Donald Trump's second executive order creating a travel ban, arguing that the parties haven't suffered any injuries and that the order is "explicitly religion-neutral."

Ariz. County Can't Use I-9s In State Prosecutions, Judge Says

An Arizona federal judge has permanently barred the Maricopa County Sheriff's Office from using documents submitted by employees solely for use in I-9 employment authorization checks to conduct criminal prosecutions for identity theft or forgery under two state laws.

Seattle Sues Trump Over 'Sanctuary Cities' Funding Threat

The city of Seattle is the latest municipality to take aim at President Donald Trump's executive order limiting federal funds to so-called sanctuary cities, filing a lawsuit in Washington federal court Tuesday alleging the order violates the Tenth Amendment and puts as much as \$155 million of the city's federal funding at stake.

NATIVE AMERICAN

Tribe Tells Calif. High Court Gov. Can't OK Off-Res Casino

The United Auburn Indian Community has pressed California's top court to hold that the state's governor cannot give the thumbs-up to a tribe for off-reservation gambling because to do so exceeds the governor's power under the state's constitution and violates the separation of powers between government branches.

Wash. Tribes Escape Sanctions In Cigarette Sales Row

A Washington federal judge refused Wednesday to sanction attorneys for members of four Native American tribes who unsuccessfully tried to block state employees from pursuing criminal cases for the illegal sale of cigarettes on Indian land, finding that arguments made in their proposed third amended complaint weren't frivolous.

TELECOMMUNICATIONS

FCC To Nix Federal Lifeline Approval Process, Pai Says

The Federal Communications Commission will move to eliminate a streamlined federal approval process instituted by the last administration for companies seeking to provide new Lifeline broadband service for low-income households, and will not defend against a legal challenge to it, Chairman Ajit Pai said Wednesday.

AT&T Backs FCC To Allocate Broadband Infrastructure Funds

The U.S. Federal Communications Commission should be responsible for dispersing any new money for broadband through its Connect America Fund and Mobility Fund programs, AT&T said Wednesday, since it clearly has the expertise and tools to make sure that the funds go where broadband is most needed.

EXPERT ANALYSIS

Broad Contractor Whistleblower Protections Are Here To Stay

Based on the U.S. Government Accountability Office's recent report on the Whistleblower Protections Pilot Program, it appears that many contractors may not fully understand their obligations to communicate whistleblower rights to their employees, say attorneys with Crowell & Moring LLP.

Calif. Bill Puts Employers In Middle Of Immigration Debate

It was anticipated that the California Legislature would respond to the Trump administration to address issues impacting immigrant workers. With the recent introduction of Assembly Bill 450 we now have a clear sense of what that response will look like, says Benjamin Ebbink of Fisher Phillips.

Series

Advocate For An Agency: Ex-FERC GC Cynthia Marlette

Cynthia Marlette, the Federal Energy Regulatory Commission's general counsel from

2001 to 2005 and from 2007 to 2009, reflects on how she addressed the job's many responsibilities, including advising the commission on laws and enforcement actions, developing policy, seeking consensus among commissioners, and overseeing defense of agency actions in court, as well as dealing with historic events like the California energy crisis.

Opinion

Delrahim: The Right Captain For The Antitrust Division

The selection of Makan Delrahim to lead the U.S. Department of Justice's Antitrust Division likely signals that there won't be a significant change in course for the crucial and nonpartisan work of the Antitrust Division. There could be no better choice for the job, says David Balto, former policy director of the Federal Trade Commission Bureau of Competition.

LEGAL INDUSTRY

Analysis

4 Ways To Rise To The Top In BigLaw Without Making It Rain

Being a rainmaker is often thought of as the gold standard when it comes to "making it" in BigLaw, but experts say there are a number of ways lawyers can become highly valued partners without being stellar business generators. Here are four tips on becoming a major player without being a rainmaker.

Analysis

3 Decisions You Need To Read About Bills And Privilege

It's generally understood that the bills a lawyer sends a client are privileged communications and can't be pried open through discovery, but courts haven't always agreed with the concept. Here, we look at three recent cases showing just how far the privilege can or cannot go when it comes to legal billing.

ACC Offers Benchmarks For Law Firm Cybersecurity

The Association of Corporate Counsel on Wednesday released cybersecurity guidelines for law firms that outline the ways in which sensitive information passed to outside counsel should be handled and protected.

Plaintiffs Bar Perspective: Jonathan Gardner

For plaintiffs attorneys, it's important to have an entrepreneurial mindset and understand the business of law. Since we are contingency-based, we take on risk with every case, says Jonathan Gardner, partner at Labaton Sucharow LLP.

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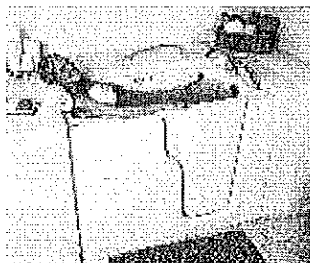
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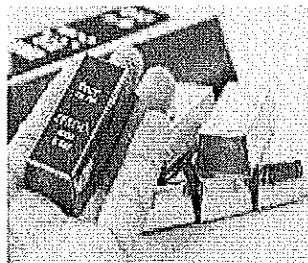
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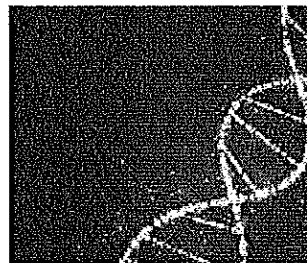
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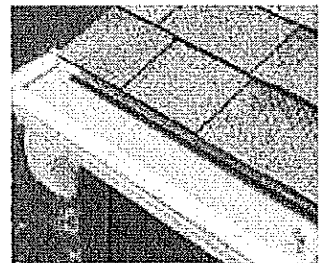
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The Democrats and the media are trying to gin up a cloud of suspicion over the Trump presidency.

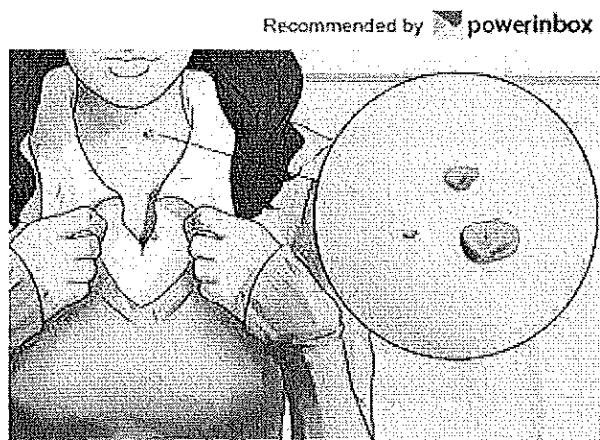
One of their key points of attack was an unsubstantiated opposition research memo that made startling claims about Trump and Russia.

Now strange reports are surfacing about how the FBI is using the memo.

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Kelly Walsh, Editor

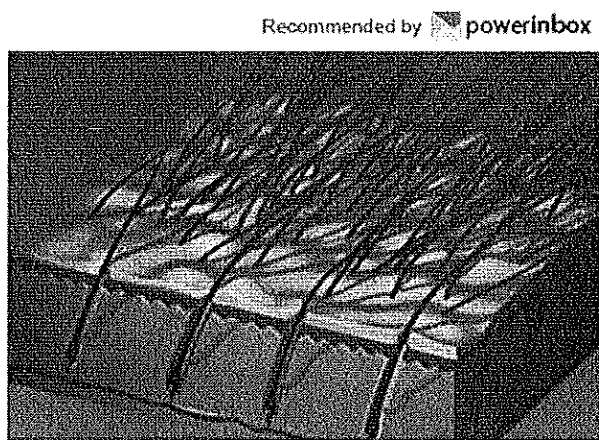
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